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LAWS

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OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE

SESSION OF 1873,

In the Ninety-seventh year of Independence.

WITH AN APPENDIX.

BY AUTHORITY.

HARRISBURG:

BENJAMIN SINGERLY, STATE PRINTER.

1873.

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L A W S

OF THE

COMMONWEALTH OF PENNSYLVANIA.

No. 1.

An Act

To fix the salary of the Governor of this Commonwealth.

SECTION 1. *Be it enacted, &c.,* That the salary of the governor of this commonwealth, is hereby fixed at the sum of ten thousand dollars per annum, payable quarterly; this act to take effect upon and at the expiration of the present gubernatorial term.

APPROVED—The 15th day of January, A. D. 1873.

JNO. W. GEARY.

Barlingtan - 13th

No. 2.

An Act

To provide for the ordinary expenses of the government and other general and specific appropriations for the year Anno Domini one thousand eight hundred and seventy-three.

SECTION 1. *Be it enacted, &c.,* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and seventy-three, to be paid out of any moneys in the treasury not otherwise appropriated: Appropriations

SECTION 2. For the salary of the governor of the commonwealth, ten thousand dollars. Executive department.

For the salary of the private secretary of the governor, two thousand five hundred dollars.

For the salary of a temporary clerk, at the rate of one hundred and twenty-five dollars per month, so long as the governor may require his services.

For the messenger of executive department, nine hundred dollars.

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For postage, telegrams, stationery and other incidental expenses executive department, the sum of two thousand dollars, or so much thereof as may be necessary.

For night watchman at the executive department, nine hundred dollars.

Secretary of the
commonwealth,
salary and ex-
penses of office.

SECTION 3. For the salary of the secretary of the commonwealth, three thousand five hundred dollars.

For the salary of the deputy secretary of the commonwealth, two thousand two hundred and fifty dollars.

For the salary of the chief clerk in the office of the secretary of the commonwealth, eighteen hundred dollars.

For the salary of seven other clerks, at fourteen hundred dollars each, nine thousand eight hundred dollars.

For the salary of messenger, nine hundred dollars, and for extra services, the sum of two hundred dollars.

For one temporary clerk, to aid in the transcription of laws, one hundred and twenty-five dollars per month, so long as the service may be necessary; this appropriation to date from the first of March, one thousand eight hundred and seventy-three, and one other clerk at the same rate, from March first, one thousand eight hundred and seventy-three.

For postage, freight, telegrams and express charges, two thousand five hundred dollars, or so much thereof as may be necessary.

For blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, one thousand dollars, or so much thereof as may be necessary.

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

For cleaning offices, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, three hundred dollars, or so much thereof as may be necessary.

For indexing pamphlet laws, two hundred dollars.

For repairing and refitting office and rooms, two thousand dollars, or so much thereof as may be necessary; and the governor is authorized, in addition thereto, to make such alterations as may be necessary, in connection with the executive chamber and the stairway leading thereto, the expense to be paid by his warrant on the state treasury.

For packing and distributing pamphlet laws and journals of the legislature, fifteen hundred dollars, or so much thereof as may be necessary.

Auditor general,
salary and
expenses of of-
fice.

SECTION 4. For the salary of the auditor general, three thousand dollars.

For the salary of the chief clerk in the auditor general's office, eighteen hundred dollars.

For the salary of the clerk for settling the accounts of corporations, and having in charge the business of insurance companies, reports of railroads and manufacturing companies, one thousand eight hundred dollars.

For expenses in executing the corporation tax laws, the sum of one thousand dollars, or so much thereof as may be neces-

sary, to be paid on the warrant of the auditor general upon accounts regularly settled according to law.

For the salaries of nine other clerks in the auditor general's department, one thousand four hundred dollars each.

For the salary of messenger, nine hundred dollars.

For the salary of night watchman, nine hundred dollars.

For postage, telegrams and express charges, eight hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For fuel, one hundred dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, one hundred dollars, and for cleaning, seventy-five dollars, or so much thereof as may be necessary.

For refitting and repairing the office of the auditor general, one thousand five hundred dollars, or so much thereof as may be necessary, to be paid on bills approved by the governor.

SECTION 5. For the salary of the surveyor general, two thousand five hundred dollars.

For the salary of the chief clerk in the surveyor general's office, the sum of one thousand eight hundred dollars.

For the salary of the principal drafting clerk therein, seventeen hundred dollars.

For the salary of twelve other clerks in the survey general's office, the sum of one thousand four hundred dollars each.

For the salary of messenger, nine hundred dollars, and for salary of clerk to board of property, two hundred dollars.

For postage in the surveyor general's office, seven hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred and fifty dollars, and for fuel one hundred dollars, or so much thereof as may be necessary.

SECTION 6. For the salary of the attorney general, three thousand five hundred dollars.

For the salary of the deputy attorney general, one thousand eight hundred dollars.

For the salary of clerk and messenger, fourteen hundred dollars.

For contingent expenses, five hundred dollars, or so much thereof as may be necessary.

SECTION 7. For the salary of the adjutant general, two thousand five hundred dollars.

For the salary of the chief clerk in the department of the adjutant general, the sum of one thousand eight hundred dollars, and for two other clerks in said department, the sum of fourteen hundred dollars each.

For miscellaneous expenses, postage, telegrams, express charges and other incidental expenses, seven hundred dollars, or so much thereof as may be necessary.

For the salary of the messenger, nine hundred dollars.

Surveyor general, salary and expenses of office.

Attorney general, salary and expenses of office.

Adjutant general, salary and expenses of office.

For stationery, the sum of three hundred dollars, or so much thereof as may be necessary.

For cleaning office and ordinary repairs, the sum of fifty dollars, or so much thereof as may be necessary.

For payment of six men at the arsenal, for cleaning arms, accoutrements, et cetera, and doing carpenter work for one year, four thousand two hundred dollars.

For coal, lumber, hardware and other materials, one thousand dollars, to be settled by the auditor general in the usual manner.

For the salary of the keeper of the arsenal, who shall be subject to the orders of the adjutant general, fourteen hundred dollars, to be paid by the adjutant general: *Provided*, That when not necessarily occupied or employed in or about the arsenal, he shall be engaged in copying rolls in the adjutant general's office.

For the payment of freight charges, shipment of arms, et cetera, to organize companies, and for payment of expenses incidental to inspection, the sum of eight hundred dollars, or so much thereof as may be necessary.

Pensions and
gratuities.

SECTION 8. For the payment of pensions and gratuities, the sum of sixty thousand dollars, or so much thereof as may be necessary to pay pensions and gratuities not provided for by act of congress.

Wm. C. Wimer.

SECTION 9. To William C. Wimer, keeper of the Philadelphia city arsenal, for services rendered the state from and during the years one thousand eight hundred and sixty-eight, to the year one thousand eight hundred and seventy-two, inclusive, in receiving, issuing, storing and packing arms and accoutrements, cavalry equipments, ammunition, et cetera, the property of the state, the sum of five hundred dollars, and for labor performed as per bills rendered.

John H. Kinsley, A. H. Shelle, James Johnston, Robert Walfington, and Wm. W. Bevan.

To John H. Kinsley, sixty-nine dollars.

To A. H. Shelle, thirty-six dollars.

To James Johnson, forty-five dollars.

To Robert Walfington, eighteen dollars.

To William W. Bevan, sixty-nine dollars.

State treasury.

SECTION 10. For the salary of state treasurer, five thousand dollars.

For salary of the chief clerk in the state treasurer's office, two thousand dollars.

For the salary of three other clerks in the treasury department, one thousand four hundred dollars each.

For the salary of messenger, nine hundred dollars.

For the salary of night watchman, nine hundred dollars.

For postage and telegrams in treasury department, three hundred and seventy-five dollars, or so much thereof as may be necessary.

For stationery and blank books, three hundred dollars.

For express charges, one hundred dollars.

For fuel, seventy-five dollars.

For miscellaneous expenses and cleaning, one hundred and fifty dollars, or so much thereof as may be necessary.

Interest on
state debt.

SECTION 11. For the payment of the interest of the funded debt of the commonwealth, which falls due on the first days of

July and August, Anno Domini one thousand eight hundred and seventy-three, and the first days of January and February, Anno Domini one thousand eight hundred and seventy-four, the sum of one million five hundred and fifty thousand dollars, or so much thereof as may be necessary.

SECTION 12. For the payment of the interest on the certificates of loan, issued for the relief of the citizens of Chambersburg for war damages, the sum of eighteen thousand dollars or so much thereof as may be necessary.

Interest on certificates of loan for relief of citizens of Chambersburg.
School department.

SECTION 13. For the salary of the superintendent of common schools, the sum of two thousand five hundred dollars.

For the salary of the deputy superintendent of common schools, one thousand eight hundred dollars.

For the salary of an additional deputy superintendent, one thousand eight hundred dollars, and two hundred dollars for traveling expenses.

For the salary of three other clerks in the school department, one thousand four hundred dollars each.

For expenses of principals of state normal schools and superintendents, in attending annual examinations, including the school years of one thousand eight hundred and seventy-two and one thousand eight hundred and seventy-three, five hundred dollars, or so much thereof as may be necessary.

For engraving and printing warrants, one hundred and seventy-five dollars, or so much thereof as may be necessary.

For salary of messenger, nine hundred dollars.

For stationery and blank books in the school department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express charges, one thousand two hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses of the school department, three hundred dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the school directors of the state, one thousand two hundred dollars, or so much thereof as may be necessary.

For publishing and circulating among the school officers of the state, the official decisions and instructions of the department, two thousand two hundred dollars, or so much thereof as may be necessary.

For traveling expenses, on official business of the department, six hundred dollars, or so much thereof as may be necessary.

SECTION 14. For the support of the common schools for the school year, which will begin on the first Monday in June, Anno Domini one thousand eight hundred and seventy-three, to be paid on warrants, to be drawn by the superintendent in favor of the several school districts of this commonwealth, the sum of seven hundred and sixty thousand dollars, inclusive of the salaries of the county superintendents and inclusive of the sum of twenty thousand dollars for the education of teachers in the normal schools of this commonwealth, of which the Lincoln University of Chester county shall be considered one, and shall receive a pro rata share of this appro-

Common schools.

priation with other normal schools, to be applied in the same way, and under the same conditions as a similar appropriation was directed to be applied by the general appropriation act, approved the eleventh day of April, one thousand eight hundred and sixty-six: *Provided*, That each student in a normal school, drawing an allowance from the State, must receive regular instruction in the science and art of teaching, in a special class devoted to that object, for the whole time such an allowance is drawn; in the allowance to soldier students to normal schools, no distinction shall be made on account of age; and that all examinations of the graduating classes at the normal schools shall be conducted by a board, of which the state superintendent, or his deputy, shall be president, of two principals of normal schools, of whom the principal of the school where students are under examination, shall be one, and two county, city or borough superintendents of the district in which the school is located, to be appointed by the state superintendent: *Provided*, That the city of Philadelphia shall be entitled to a proper proportion of this appropriation without contributing to the salaries of the county superintendents, and that the sum of three thousand dollars of the amount received by the city of Philadelphia, shall be paid to the teachers' institute of said city for its corporate purposes.

Soldiers' orphans, expenses of department for, education of, &c.

SECTION 15. For the expenses required by the act, entitled "An Act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the state," approved April ninth, one thousand eight hundred and sixty-seven, as follows:

For the superintendent, in addition to his salary as superintendent of common schools, twelve hundred and fifty dollars.

For the salary of the chief clerk, eighteen hundred dollars.

For the salary of one other clerk, fourteen hundred dollars.

For the salary of inspector of orphan schools, two thousand dollars, and two hundred dollars for traveling expenses.

For the salary of the female inspector of orphan schools, twelve hundred dollars, and two hundred dollars for traveling expenses.

For postage, telegrams and express charges, three hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For printing and circulating decisions and instructions, two hundred dollars, or so much thereof as may be necessary.

For transferring pupils, two hundred dollars, or so much thereof as may be necessary.

For funeral expenses, four hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the superintendent and his assistant in conducting the annual examinations, three hundred dollars, or so much thereof as may be necessary.

For furniture and miscellaneous expenses, two hundred and fifty dollars, or so much thereof as may be necessary.

For the purpose of aiding deserving soldiers' orphans who leave the schools at sixteen years of age to fit themselves for teachers at the state normal schools, five thousand dollars.

For the education and maintenance, including clothing, of each orphan of less than ten years of age, admitted into such orphan homes or institutions, as have received appropriations from the state, the sum of one hundred dollars, or so much thereof as may be necessary.

For the education and maintenance, including clothing, of each orphan, of less than ten years of age, admitted into such orphan home or institutions as have received no appropriations from the state, the sum of one hundred and fifteen dollars, or so much thereof as may be necessary; for the education and maintenance, including clothing, of each orphan above the age of ten years, admitted into such institution as may be selected for them by the proper authorities, and which have received no appropriation from the state, the sum of one hundred and fifty dollars, or so much thereof as may be necessary; the gross amount appropriated for all purposes connected with the soldiers' orphans' schools, not to exceed one hundred and fifteen thousand dollars for each quarter, in addition to any surplus that may accrue from the appropriation for the school year ending May thirty-first, one thousand eight hundred and seventy-three, and such moneys, not otherwise appropriated, as may be returned to the treasury from the loans made to certain schools, under the act of April fifteenth, one thousand eight hundred and sixty-seven, and its supplements; and all accounts to be settled by the auditor general and state treasurer in the usual manner, and to be paid on the warrant of the auditor general; and it is hereby further declared that no child born after the first day of January, Anno Domini, one thousand eight hundred and sixty-six, shall be admitted into any of the institutions aforesaid; and it shall be the duty of the superintendent, on or after the first day of June next, to discharge from any and all the institutions which have received or which shall hereafter receive any such children, under the provisions of the act of April ninth, Anno Domini, one thousand eight hundred and sixty-seven, as shall have arrived at the age of sixteen years; and so much of the act, entitled "An Act to provide for the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the state," approved April ninth, one thousand eight hundred and sixty-seven, as conflicts herewith, be and the same is hereby repealed; and it is hereby declared to be the further duty of the superintendent to prescribe the kind of clothing to be worn by the children of said orphans' schools, and to see that each receive an amount of the full value of twenty-five dollars.

SECTION 16. For the several state normal schools, organized and accepted as such under the laws of this commonwealth, the sum of fifty thousand dollars, to be distributed by the governor, the superintendent of common schools and the attorney general, on such terms and conditions as they may determine, looking to the interest of the state as well as the welfare of the schools, except that the board of trustees of each school accepting its allotment of the appropriation now made, shall

Normal schools

Institutions with debt exceeding \$20,000, or not provided with buildings, &c., not to be recognized.

hereafter be composed of a number of members not exceeding fifteen, to be elected by the stockholders, as now provided by law, and appointed under the provisions of the act approved the fifteenth of February, one thousand eight hundred and seventy-two, in the proportion, as nearly as may be practicable, to the amounts of money each school has received from private sources, exclusive of its own earnings, and from the state, respectively; and that no institution shall hereafter be recognized as a state normal school with an indebtedness of over twenty thousand dollars, nor without being fully provided with buildings, furniture and apparatus, as the law requires; all proceedings of the above named officers under this section to be reported to the Legislature, in detail, in the next annual report of the superintendent of common schools: *Provided*, That the Cumberland Valley State Normal school, at Shippensburg, shall, in lieu of its share under this section, receive twenty thousand dollars additional, which, however, shall not be paid until satisfactory evidence is furnished the state treasurer that the remainder of the debt contracted for the buildings of the said school, and for which the said building may be liable, shall be provided for by voluntary subscription or donation.

Bureau of statistics.

SECTION 17. For the commissioner of bureau of statistics and agriculture, for salary, the sum of two thousand five hundred dollars; and for three clerks in the same, the sum of one thousand four hundred dollars each, the pay of these clerks to commence March first, one thousand eight hundred and seventy-three; for messenger therein, two hundred dollars; for messenger, for services in same from January to June, one thousand eight hundred and seventy-three, one hundred dollars.

For stationery, two hundred and fifty dollars.

For traveling expenses, three hundred and fifty dollars, or so much thereof as may be necessary.

Contingent expenses of bureau from May 6, 1872, to January 1, 1873.

SECTION 18. For the payment of the contingent expenses of the bureau of statistics of labor and of agriculture, from the sixth day of May, Anno Domini, one thousand eight hundred and seventy-two, to the first day of January, Anno Domini, one thousand eight hundred and seventy-three, the sum of one thousand and fifty-three dollars and thirty-four cents, on bills to be approved by the auditor general and state treasurer.

State library.

SECTION 19. For the salary of the state librarian, the sum of twelve hundred dollars, for the assistant, nine hundred dollars; to the state librarian for supplying states heretofore cut out of the exchange of our reports of supreme court, one thousand dollars.

For miscellaneous books, one thousand five hundred dollars.

For law books and exchanges, fifteen hundred dollars.

For reports of supreme court for the year one thousand eight hundred and seventy-two, six hundred dollars, for the purpose of exchanges with other states.

For freight on books, express, cleaning room, et cetera, four hundred dollars.

For enclosing book cases and repairs, six hundred dollars.

For making books, the sum of one hundred dollars.

For completing the catalogue of library, eight hundred dollars, or so much thereof as may be necessary.

SECTION 20. For the salary of the superintendent of public printing, the sum of sixteen hundred dollars. Superintendent of public printing, salary and expenses of office.

For payment of postage, stationery, making fires, cleaning room and other necessary expenses for the year one thousand eight hundred and seventy-three, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For the same, for the year one thousand eight hundred and seventy-two, not heretofore provided for, fifty dollars.

SECTION 21. For the public printing, folding, stitching and binding, seventy thousand dollars, or so much thereof as may be necessary, on settlement of the accounts of the public printer, according to law; the account for the same to be audited and settled in the usual manner by the auditor general. Public printing

SECTION 22. To the publishers of the Legislative Journal, fourteen dollars per page, in accordance with the contract, the amount to be settled by the auditor general as per contract; and for making out an index to the journal, the further sum of three hundred dollars; and that the publishers of said journal be authorized to resume the publication of the same at the commencement of the next session, and continue the same under the terms of the existing contract, until otherwise ordered by the two houses. Publishers of Legislative Journal. Authorized to resume publication of same next session.

SECTION 23. For the salary of the superintendent of the public buildings and grounds, fourteen hundred dollars. Public buildings and grounds.

For four assistant watchmen, an annual salary of nine hundred dollars each, to be paid monthly; and for necessary repairs and improvements to public buildings and grounds, seven thousand dollars, or so much thereof as may be necessary.

For winding and oiling the clock on the capitol, and repairing the same, the sum of one hundred and twenty-five dollars, to be paid on account certified by the clerks of the two houses; and the superintendent is hereby required to make a detailed statement of his expenditures to the next legislature.

SECTION 24. For the payment of the city of Harrisburg for supplying the public buildings with water, according to the act of twenty-eighth April, Anno Domini one thousand eight hundred and forty, the sum of one hundred and fifty dollars, and also for gas for the public buildings and the walks, such amount as may be found due the Harrisburg gas company on the contract with the company, and upon a regular account being rendered to the auditor general, who is hereby authorized to examine and settle the same in the same manner as other accounts are settled in said department, in pursuance of its charter and supplements, to be paid on the warrant of the auditor general. Water and gas for public buildings and grounds.

SECTION 25. For the fire companies of the city of Harrisburg, the sum of seven hundred dollars, to be distributed in equal amounts to and among said companies. Fire companies, Harrisburg.

Judges, supreme court.

SECTION 26. For the salaries of the judges of the supreme court, the sum of thirty-five thousand dollars, or the sum of seven thousand dollars to each judge for the present year, to be in lieu of all daily pay, mileage or other expenses heretofore allowed by law.

Judges, Philadelphia.

SECTION 27. For the payment of the salaries of the judges of the district court and the judges of the court of common pleas of the city of Philadelphia, the sum of fifty thousand dollars, or five thousand dollars to each judge for the present year.

Judges, Allegheny county.

SECTION 28. For the payment of the judges of the district court and the president and assistant law judges of the court of common pleas of the county of Allegheny, twenty-five thousand dollars, or five thousand dollars to each one of the law judges for the present year.

President judge, Twelfth judicial district.

SECTION 29. For the payment of the president judge of the Twelfth judicial district, who performs increased labor in trying the commonwealth civil cases in the county of Dauphin, the sum of five thousand dollars.

Judges, courts of common pleas.

SECTION 30. For the payment of the salaries and mileage of the president, additional and associate law judges of the several courts of common pleas in the commonwealth, except in the city of Philadelphia, in the county of Allegheny, and the Twelfth judicial district, the sum of one hundred and thirty-four thousand dollars, or so much thereof as may be necessary; each president and law judge to receive four thousand dollars salary during the present year, except the president judge of the district court of Cambria county, whose salary for the present year shall be one thousand eight hundred dollars.

President judge, district court of Cambria county.

Associate judges.

SECTION 31. For the payment and mileage of the associate judges of the courts of this commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary; each associate judge to receive, in lieu of the salary now allowed by law, five dollars per day for every day he may be employed in the discharge of his official duties: *Provided*, That the salary of no associate judge shall be less than three hundred dollars.

Legislature, expenses of.

SECTION 32. For the payment of the expenses of the legislature, including the pay and mileage of members, clerks and officers of each house appointed for the session, and the amount authorized by law for stationery and postage, the sum of two hundred and fifty thousand dollars, or so much thereof as may be necessary, to be settled by the auditor general, and the payment out of the said sum to each of the members of the Senate and House of Representatives for salary shall be one thousand dollars each and mileage; and the clerks and officers of each house shall be paid such amount as is authorized by law, and mileage; the foregoing sum to include the payment of all officers and employees; for the pay of the pages of the House, two hundred and fifty dollars, and for the Senate two hundred and fifty dollars each; to the engineer for each day, not exceeding ninety days, employed during the recess, three dollars per day. The resident clerk shall receive from the state printer the bound copies of Daily Journal and forward a copy to each member of the House,

Pages.

and the sum of two hundred and fifty dollars is hereby appropriated for paying the expenses of forwarding the same. For Sullivan S. Child, librarian of the Senate, and the librarian of the House, each four months extra service during the recess, at the same rate as transcribing clerks; the librarian of the Senate to place forty-two copies of the Daily Legislative Journal at the public bindery to be bound, thirty-six copies for the use of the senators and principal clerks, four copies for the state library, and two to be reserved for the use of the Senate, and to be distributed to the senators and clerks by the librarian.

Forwarding Daily Journal to members.
Librarians, Senate and House.
Librarian of Senate to have copies of Daily Journal bound and distributed

SECTION 33. To each member of the House of Representatives chosen to try the several contested election cases during the present session of the legislature, the sum of five hundred dollars extra for services on the said committees. *Provided*, That no one of them shall be paid more than five hundred dollars for such services though drawn upon more than one of said committees. To each member of the joint committee of the Senate and House of Representatives in the contested election case of Stokes L. Roberts, who was returned as an additional law judge of the Seventh judicial district, five hundred dollars extra for services on said committee.

Committees on contested election cases.

SECTION 34. That the state treasurer is hereby authorized and directed to pay to each of the chief clerks, for the expense of indexing the journals, the sum of two hundred dollars; and each sworn officer of the House and the Senate shall be entitled to pay and mileage when certified to in the usual way, the salaries fixed by this bill for such officers.

Indexing journals.
Sworn officers, Senate and House, to have pay and mileage.
Message clerks, Senate and House.

For the message clerks of the Senate and House of Representatives, for extra services, the sum of three hundred dollars each.

For the transcribing clerks the additional sum of two hundred dollars, making to each the sum of one thousand dollars, and for the assistant clerk of the House of Representatives, the sum of three hundred dollars, in addition to salary for extra services.

Transcribing clerks.
Assistant clerk, House of Representatives.

For the pay of G. W. Kinney, clerk to the committee of ways and means, and for services in the transcribing room, the sum of eight hundred dollars.

G. W. Kinney.

That the pay of the sergeant-at-arms in the Senate and House of Representatives, shall be the same as a transcribing clerk.

Sergeant-at-arms.

For Wm. M'Guire, fireman in speaker's room, three hundred dollars, and to Daniel Hoke, balance unpaid as fireman and janitor in eighteen hundred and seventy-two, two hundred and thirty-one dollars.

Wm. M'Guire and Daniel Hoke.

SECTION 35. For the payment of postage, labor and express charges, and other miscellaneous expenses in the office of resident clerk of the House of Representatives, during the recess, the sum of fifteen hundred dollars, and for similar expenses in the office of the clerk of the Senate, the sum of eight hundred and fifty dollars, or so much thereof as may be necessary, to be settled by the auditor general in the usual manner.

Miscellaneous expenses in offices of resident clerk of House and clerk of Senate.

SECTION 36. For the payment of the chaplain of the House of Representatives, the sum of three hundred dollars, and for

Chaplains, Senate and House.

the payment of the chaplain of the Senate, three hundred dollars.

Corporations,
penitentiaries,
&c., to make
settlements
with auditor
general.

SECTION 37. That all corporations, penitentiaries, charitable and educational institutions receiving and disbursing state appropriations shall take vouchers for the money so expended by them, and shall make quarterly settlements with the auditor general.

How salaries
and appropria-
tions to be paid

SECTION 38. That all annual salaries herein provided for, and also all appropriations to penitentiaries and charitable institutions shall be paid quarterly at the office of the state treasurer, unless otherwise provided by law; and that no money appropriated by this act for any specific object shall be applied to any other of the charitable institutions, penitentiaries or houses of refuge.

Not to be mis-
applied.

Board of public
charities.

SECTION 39. For the salary of the general agent and secretary of the board of public charities, three thousand dollars per annum; for postage, telegrams and express charges, the sum of four hundred dollars, or so much thereof as may be necessary; for fuel and cleaning room, the sum of three hundred dollars, or so much thereof as may be necessary, to include the pay of messenger.

For stationery, the sum of one hundred dollars, or so much thereof as may be necessary.

For actual traveling or other necessary expenses of the commissioners and general agent of the board of public charities, one thousand dollars, or so much thereof as may be necessary.

For the employment of the necessary clerical aid in the office of the board, the sum of three thousand dollars, or so much thereof as may be necessary.

Eastern peni-
tentiary.

SECTION 40. For the Eastern penitentiary, for the payment of the salaries of the officers, twenty-seven thousand dollars, in equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and seventy-three, and March, Anno Domini one thousand eight hundred and seventy-four; and for each discharged convict, from the city of Philadelphia, whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the penitentiary.

For repairs, fifteen hundred dollars.

For books and stationery for library, five hundred dollars.

Western peni-
tentiary.

SECTION 41. For the Western penitentiary for the payment of salaries of officers, the sum of twenty-four thousand three hundred and fifty dollars; for library, two hundred and fifty dollars; for new sewer pipes in block "A," two thousand three hundred dollars; flooring, one thousand dollars; for municipal claim, two thousand one hundred and forty-four dollars and four cents; and for each discharged convict from the city of Pittsburgh, or whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the penitentiary; the salaries provided for in this section to be paid in four equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno

Domini one thousand eight hundred and seventy-three, and March, Anno Domini one thousand eight hundred and seventy-four.

SECTION 42. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages, and for the support of the institution, the sum of twenty thousand dallars. State lunatic hospital at Harrisburg.

SECTION 43. For the hospital for the insane for the northern district of Pennsylvania, at Danville, the sum of twenty thousand dollars, to be applied to the support of said institution, and the additional sum of one hundred thousand dollars for constructing the additional wing to the same. Hospital for insane for Northern district.

SECTION 44. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, the sum of two hundred and sixty-five dollars per annum, for every deaf mute of this commonwealth, taught at said institution, to be paid semi-annually, on the warrant of the governor in favor of the president of said institution, the evidence of which shall be furnished to the state treasurer, and for deficiencies in appropriations for support of pupils for the year one thousand eight hundred and seventy-one, two thousand three hundred and eight dollars and fifty cents: *Provided*, That the amount drawn from the treasury for the instruction of the deaf and dumb pupils, including the deficiencies provided for in this section, shall not exceed the sum of fifty thousand and eight dollars and fifty cents: *And provided further*, That John P. Deise, a deaf and dumb son of G. O. Deise, of Clinton county, shall be received and educated at said asylum, as a state pupil, during six years. Pennsylvania institution for deaf and dumb, for instruction of indigent pupils in.

SECTION 45. For the Pennsylvania institution for the instruction of the blind, the sum of thirty-nine thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rate of three hundred dollars for each pupil, the evidence of which is to be furnished to the state treasurer. Pennsylvania institution for instruction of blind.

SECTION 46. To the Western Pennsylvania hospital for the insane, for salaries of officers and wages of employees, and support of hospital, twenty-five thousand dollars, and one thousand dollars for insurance. Western Pennsylvania hospital for insane

SECTION 47. For the Jefferson medical college of the city of Philadelphia, to be used for and toward the erection and equipment of a hospital for medical and surgical treatment of sick and maimed persons of this commonwealth, the sum of one hundred thousand dollars, upon the precedent condition that it shall raise and secure to be paid and applied to this object, the sum of one hundred thousand dollars in addition thereto, and upon the further expressed condition that at least one hundred beds, free for persons injured, shall be forever therein maintained: *Provided*, That no portion of said appropriation shall be paid by the state treasurer until satisfactory evidence is furnished to the auditor general and state treasurer, upon the oath or affirmation of the proper persons, officers of said college, that the required sum of one hundred thousand dollars shall have been subscribed and paid, or secured to be paid, by valid subscription, to said college, to be used only Jefferson medical college of city of Philadelphia.

for the erection, support and maintenance of said hospital: *And provided further*, That the said sum shall only be drawn by the trustees of said college, from time to time, as the work progresses, and not more than one-fourth part thereof shall be paid in any term of six months.

Educational
home for boys
of Philadelphia

SECTION 48. To Educational home for boys of Philadelphia, the sum of ten thousand dollars, on condition that forty thousand dollars additional be raised by private subscription: *Provided*, That before any part thereof is paid, the auditor general and state treasurer shall be furnished with evidence satisfactory to them that the above condition is fully complied with. To Lincoln university, of Chester county, for the erection of buildings, to be permanently maintained as a normal school department, the sum of ten thousand dollars.

Lincoln univer-
sity of Chester
county.

Lackawanna
hospital at
Scranton.

SECTION 49. To the Lackawanna hospital, in the city of Scranton, ten thousand dollars; and the said money shall be expended in the purchase of real estate, for purposes of the said hospital, and the commonwealth shall be secured in a first lien upon the premises so purchased.

Orthopædic
hospital.

SECTION 50. For Orthopædic hospital, Philadelphia, the sum of ten thousand dollars.

Pennsylvania
training school
for feeble-
minded chil-
dren.

SECTION 51. For the Pennsylvania training school for feeble-minded children, at Media, in the county of Delaware, the sum of twenty-three thousand dollars, for the maintenance and training of one hundred pupils: *Provided*, That each representative district, in the commonwealth, shall be entitled to send the number of persons to said institute that they are entitled to members on the floor of the House of Representatives.

University of
Pennsylvania.

SECTION 52. To the University of Pennsylvania, the sum of one hundred thousand dollars, upon condition that it shall raise the sum of one hundred thousand dollars in addition thereto; the entire appropriation to be expended in the erection of a general hospital, in connection with said institution, in which at least two hundred beds, free for persons injured, shall be forever maintained: *Provided*, That no portion of the state appropriation to said university shall be paid by the state treasurer before the year one thousand eight hundred and seventy-four, and until satisfactory evidence is furnished to the auditor general and state treasurer, upon the oath or affirmation of the proper persons, that the required subscription of one hundred thousand dollars has been subscribed and paid in, or secured to be paid by subscription, to said university.

House of re-
fuge, Philadel-
phia.

SECTION 53. For the support of the House of Refuge, in Philadelphia, thirty-five thousand dollars, and fifteen thousand dollars additional to be applied to the indebtedness of said institution.

Western Penn-
sylvania reform
school.

SECTION 54. For the Western Pennsylvania reform school, the sum of sixteen thousand five hundred dollars for the salaries of officers employed and for repairs, and the further sum of fifty thousand dollars to aid in the purchase of a new site and the removal of the institution.

General hos-
pital, Twelfth
ward, Pittsburg

SECTION 55. For the General hospital in Twelfth ward, Pittsburg, for a new heating apparatus, improved means of

ventilation and introduction of gas fixtures, nineteen thousand dollars.

SECTION 56. For the Homeopathic hospital, of Pittsburg, the sum of ten thousand dollars, to be used for the purpose of increasing the facilities of said hospital for treatment of patients.

Homeopathic hospital of Pittsburg.

SECTION 57. To Francis Jordan, late secretary of the commonwealth, for deficiency of expenses incurred by him in procuring necessary publications for information of constitutional convention, in conformity with the tenth section of an act approved eleventh April, Anno Domini one thousand eight hundred and seventy-two, on bills to be first approved by the auditor general, the sum of eleven hundred and ninety-five dollars.

Francis Jordan, late secretary of commonwealth.

To Francis Jordan, late secretary of the commonwealth, for extra services rendered under said act in compiling said publications, the further sum of one thousand dollars.

SECTION 58. For the American Reflector Company of Philadelphia, such sum as may be found due it by the auditor general and state treasurer for bill of lamps, lamp-posts, reflectors and gas fixtures for the public buildings and grounds, said bills to be paid out of the appropriation for public grounds.

American reflector company of Philadelphia.

SECTION 59. For the pay of the expenses of the constitutional convention, including the pay of the members, clerks and officers thereof, and the printing therefor, the sum of five hundred thousand dollars, or so much thereof as may be necessary, to be settled by the auditor general; and the amount of the salaries of the members and clerks, and the pay of the officers and employees thereof, shall be fixed by the said constitutional convention, and the money shall be paid by the state treasurer, on the warrant of the president of the said convention, countersigned by the chief clerk of the convention; and any statute inconsistent herewith, be and the same is hereby repealed.

Constitutional convention.

SECTION 60. For refurnishing the executive mansion, six thousand dollars, or so much thereof as may be necessary, the bills for the same to be audited by the auditor general. For the expense of removing the transcribing room of the Senate to one of the committee rooms, and fitting up the same as a wash room, the sum of three thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the clerk of the Senate. For P. C. Smith, clerk to the speaker of the Senate, and to the clerk of the speaker of the House, each the pay of a transcribing clerk. For the payment of the expenses of the inauguration of Governor Hartranft, in addition to the amount heretofore appropriated, two thousand dollars, or so much thereof as may be necessary, and to Thomas B. Cochran, assistant clerk of the Senate, for extra services during the summer of eighteen hundred and seventy-two, three hundred dollars.

Re-furnishing executive mansion.

Removing transcribing room of Senate

Clerks to speakers of Senate and House.

Inauguration of governor, expenses of.

Thomas B. Cochran.

SECTION 61. That the officers of each branch of the Legislature shall be as follows, and no more, namely:

Officers of legislature, defined, &c.

First. In the House of Representatives, one chief clerk, two assistant clerks, one of which to be known as the resident clerk, who is to have charge of the archives of the House, and is to be under the direction of the chief clerk, and is to take

an oath for the faithful discharge of his duties, one speaker's clerk, six transcribing clerks, one sergeant-at-arms, and four assistants, one doorkeeper, and three assistants, one messenger, and three assistants, one doorkeeper of the rotunda, one postmaster, and one assistant, one librarian, ten pasters and folders, and one superintendent and assistant superintendent, ten pages, one watchman, one janitor of the basement, and one fireman; the fireman and janitor and speaker's clerk shall be appointed by the speaker of the House, and the watchman, librarian and pages by the chief clerk thereof, but all the rest shall be elected by the House at the time of its organization.

Second. In the Senate one chief clerk, two assistant clerks, six transcribing clerks, one speaker's clerk, one librarian, one sergeant-at-arms and two assistants, one doorkeeper and two assistants, one messenger and two assistants, six pasters and folders, one superintendent of the folding room, one watchman, ten pages, one postmaster, one doorkeeper of the rotunda, and one fireman; the fireman and speaker's clerk shall be appointed by the speaker of the Senate, and the librarian, watchman and the pages by the chief clerk thereof, but all the rest shall be elected by the Senate at the time of its organization.

Third. One engineer, to be appointed by the clerks of the two Houses.

What officers to return to next meeting of legislature.

None of said officers shall return as such to the next meeting of the Legislature, except the chief clerks, the assistant clerks, two transcribing clerks for each House, to be designated by the chief clerk, the librarian, the superintendents of folding room, the sergeant-at-arms, the doorkeeper, the engineer, the fireman, the messenger, and the postmaster of each

State treasurer not to pay other officers.

House; and the state treasurer shall not pay any other or more officers than these under any joint resolution or bill to pay the retiring officers of the legislature; and the retiring transcribing clerks herein authorized to return as such to the next meeting of the legislature, shall be paid only upon presentation of an order to so return from the chief clerk of their respective Houses.

How transcribing clerks that return to be paid.

Compensation of officers fixed.

The compensation and allowance to the officers of each branch of the legislature shall be as follows, namely: The chief clerk of each House and the resident clerk of the House of Representatives shall each receive two thousand dollars per annum, the assistant clerks twelve hundred dollars each, the transcribing clerks and sergeant-at-arms, one thousand dollars each, doorkeepers, postmasters and assistants, superintendent of folding room and librarians, eight hundred dollars each, and the other officers, including the assistant sergeant-at-arms and the assistant doorkeepers named in this act, except the pages, shall each receive six hundred dollars per annum, the watchmen three dollars per day each during the year, and the pages two hundred dollars each. At each extra and adjourned session all of those officers shall receive, in addition, three dollars per diem each, and no more. This compensation and per diem shall be in full of all allowance, and no additional allowance shall be made for stationery or for any other purpose whatever except mileage; but the retiring officers hereinbefore authorized to return at the session

of the legislature next following that for which they were elected, and who shall not be re-elected or elected to some other office in the legislature, shall be allowed three dollars per diem for ten days' service only, and mileage to and from their homes at the rate of ten cents per mile, to be computed by the ordinary mail route between their homes and the capital of the state, and all mileage allowed to officers in this act shall be computed at the same rate.

Retiring officers not to be re-elected, &c.

The officers of each House shall be under the direction and control of the speaker and chief clerk of their respective Houses, who may assign them to such duty as they may deem best, but no extra compensation shall be allowed any officer on account of such assignment of duty; the speaker and clerk of each House shall also assign one transcribing clerk to act as clerk to the committee to compare bills, one to serve as clerk of the committee of ways and means in the House, and one to serve as clerk of the finance committee of the Senate, without additional compensation; and any officer authorized by this act, who shall hereafter substitute any other person to perform his duty, or absent himself without leave, unless such substitution is authorized by the speaker and clerk of their respective Houses, shall thereby forfeit his pay.

Officers to be under control of speakers and clerks.

Three transcribing clerks to be assigned to certain duties.

Officers substituting others to act, and absentees, to forfeit pay.

SECTION 62. For the expenses of three commissioners to represent the commonwealth of Pennsylvania at the Vienna exposition, the sum of six thousand dollars, or two thousand dollars each; said commissioners to be designated by the governor, from those appointed under joint resolution, approved March nineteenth, one thousand eight hundred and seventy-three; the amount herein appropriated to be paid said commissioners when so designated by the governor: *Provided*, Said commissioners shall be required to proceed to Vienna on or before the first day of May next, and make report to the governor by the first of December next, of all such matters as may be of interest to the citizens of the commonwealth.

Commissioners to Vienna exposition.

SECTION 63. For the payment of official fees and witnesses' fees, in certain cases in which the commonwealth is a party, the sum of twelve hundred dollars, or so much thereof as may be necessary, the money to be paid upon the warrant of the attorney general.

Payment of official and witness fees in certain cases.

SECTION 64. For the payment of military claims passed in pursuance of the act of Assembly, approved April sixteenth, one thousand eight hundred and sixty-two, the sum of twenty-five thousand dollars, or so much thereof as may be necessary; said money only to be paid if said claims have been passed and filed, and are payable in accordance with existing laws.

Military claims

SECTION 65. To the widow and family of John Hagan, member of the House elect, from Greene county, such pay and mileage as may by law be appropriated to members of the present legislature, and to R. H. Newton, assistant sergeant-at-arms, fifty dollars, for serving notices of election in case of said vacancy.

Widow and family of John Hagan, deceased.

R. H. Newton.

SECTION 66. For the payment of printing, stationery and sundry expenses incurred by the commissioners appointed

Expenses incurred by commissioners to examine Ohio river navigation.

by the governor to examine the question of Ohio river navigation, the sum of three thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers filed and settled by the auditor general in the usual manner.

Commissioners of public grounds may enclose extension of grounds with an iron fence.

SECTION 67. That the commissioners of public grounds are hereby authorized to enclose the extension of the public grounds with an iron fence similar to the one now erected, and draw a warrant on the treasury for the expenses of the same.

APPROVED—The 9th day of April, 1873.

J. F. HARTRANFT.

No. 3.

An Act

To establish an Insurance Department.

Department established.

SECTION 1. *Be it enacted, &c.*, That there is hereby established a distinct department, to be known as the insurance department, which shall be charged with the execution of the laws of this state in relation to insurance.

Insurance commissioner.

SECTION 2. The chief officer of said department shall be denominated the insurance commissioner of Pennsylvania; he shall be appointed by the governor, with the advice and consent of the Senate, within thirty days after the passage of this act, for the term of three years, and until his successor is duly qualified, and shall receive the annual salary of three thousand dollars: *Provided*, That the person first appointed commissioner, under this act, shall enter upon the duties of his office on the first Monday of May next; in case of a vacancy in said office by death, resignation or otherwise, the governor shall fill such vacancy for the unexpired balance of the term; he shall employ, from time to time, with the approval of the governor, not exceeding, in addition to deputy, three clerks, to discharge such duties as he shall assign them, whose compensation shall be paid them by the state treasurer, at the same rate and in the same manner as the clerks in the office of the secretary of the commonwealth; he shall appoint one of the said clerks to be his deputy, who shall perform the duties attached by law to the office of principal, during the absence or inability of his principal, who shall receive an annual salary of eighteen hundred dollars, payable as aforesaid; within fifteen days from the date of his appointment, the commissioner shall take and subscribe the oath of office prescribed by the constitution, and file the same in the office of the secretary of the commonwealth, and shall also give to the commonwealth a bond in the penalty of ten thousand dollars, with two sureties, to be approved by the governor, conditioned for the faithful discharge of the duties of his office.

To be appointed.

Term.

Salary.

Vacancy.

Deputy and clerks.

To be sworn and give security.

SECTION 3. All books, papers, records, and securities whatever, in the office of the auditor general, relating to the business of insurance shall, on demand, be delivered and transferred to the insurance commissioner, and be and remain in his charge and custody.

Insurance records, &c., to be transferred to commissioner.

SECTION 4. There shall be assigned to the said commissioner, by the commissioners of public buildings and grounds, a suitable room or rooms for conducting the business of said department; and the said commissioner shall, from time to time, with the approval of the commissioners aforesaid, procure the necessary furniture, stationery, and other proper conveniences for the transaction of the said business, the expenses of which shall be paid on the certificate of the commissioner and the warrant of the auditor general.

Office to be assigned him.

To procure furniture, stationery, &c.

SECTION 5. It shall be the duty of the insurance commissioner—

Duties.

First. To see that all the laws of this state respecting insurance companies, and the agents thereof, are faithfully executed, and for this purpose he is hereby invested with all the powers now conferred by law upon the auditor general in relation to the licensing of the agents of foreign insurance companies; to file in his office any charter of a company, now or hereafter required by law to be filed, and upon application to furnish a certified copy thereof.

See that laws are executed.

License agents.

File charters and give copies.

Second. He shall, as soon as practicable, in each year, calculate or cause to be calculated, the net value on the thirty-first day of December, of the previous year, of all the policies in force on that day in each life insurance company doing business in this state, organized by authority of this state, and of every other life insurance company doing business in this state that shall fail to furnish him, as hereinafter provided, a certificate of the insurance commissioner of the state by whose authority the company was organized, or by the state in which it may elect to have its policies valued and its deposit made, in case the company is chartered by the government of the United States, giving the net value of all policies in force in the company on the thirty-first day of December, of the preceding year, which calculation of the net value of each policy shall be based upon the American experience table of mortality, and four and one-half per cent. interest per annum: *Provided*, That when any life insurance company shall have a cash capital of not less than five hundred thousand dollars, fully paid in and safely invested, the reserve to provide for the liabilities on all policies of such company not participating in the profits of the company, shall be computed by the American experience table of mortality, with interest at not less than four and a half nor more than six per centum per annum, in the discretion of the commissioner, and with reference to the rates of premium charged by such company; the net value of a policy, at any time, shall be taken to be the single net premium which will, at that time, effect the insurance, less the value at that time of the future net premiums called for by the table of mortality and rate of interest designated.

To calculate net value of policies in force in life companies.

Basis of calculation.

How reserve of certain companies to be computed.

What the net value of a policy taken to be.

Duties of commissioner on finding condition of life company below standard of legal safety.

To see that companies have certain amount in safe securities.

To accept valuations by commissioners of other states when properly made.

Foreign companies to furnish certificates.

Failure to furnish same.

To calculate re-insurance reserve for unexpired risks of fire companies.

Marine and inland insurance.

To notify companies to make good whole capital stock in certain cases.

If not done, to make them cease doing new business, &c.

Third. In case it is found that any life insurance company doing business in this state, has not on hand the net value of all its policies in force, after all other debts of the company and claims against it, exclusive of capital stock, have been provided for, it shall be the duty of the insurance commissioner to publish the fact that the then existing condition of the affairs of the company is below the standard of legal safety established by this state, and he shall require the company at once to cease doing new business, and he shall immediately institute proceedings to determine what further shall be done in the case; and it is hereby made the duty of the insurance commissioner, after having determined as above the amount of the net value of all the policies in force, to see that the company has that amount in safe legal securities, after all its other debts and claims against it, exclusive of capital stock, have been provided for.

Fourth. He shall accept the valuations made by the insurance commissioner of the state, under whose authority a life insurance company was organized, when such valuations have been properly made on sound and recognized principles and legal basis as above: *Provided,* The company shall furnish to the insurance commissioner of this state, on or before the first day of March, in each and every year, a certificate from the insurance commissioner of such state, setting forth the value, calculated on the data designated above, of all the policies in force in the company on the previous thirty-first day of December, and stating that after all the other debts of the company and claims against it at that time were provided for, the company had, in safe securities, an amount equal to the net value of all its policies in force, and that said company is entitled to do business in its own state; and every life insurance company doing business in this state during the year for which the statement is made, that fails promptly to furnish the certificate aforesaid, shall be required to make full detailed lists of policies and securities to the insurance commissioner of this state, and shall be liable for all charges and expenses consequent upon not having furnished said certificate.

Fifth. For every company doing fire insurance business in this state, he shall calculate the re-insurance reserve for unexpired fire risks, by taking fifty per centum of the premiums received on all unexpired risks that have less than one year to run, and a pro rata on all premiums received on risks that have more than one year to run; and in marine and inland insurance he shall charge all the premiums received on unexpired risks as a re-insurance reserve.

Sixth. Having charged against a company the re-insurance reserve, as above determined, for fire, inland and marine insurance, and adding thereto all other debts and claims against the company, he shall, in case he finds the capital stock of the company impaired to the extent of twenty per centum, give notice to the company to make good its whole capital stock within sixty days; and if this is not done, he shall require the company to cease to do new business within this state, and shall thereupon, in case the company is organized

under authority of this state, immediately institute legal proceedings, as required in this act, to determine what further shall be done in this case. Any company receiving the aforesaid notice of the insurance commissioner, to make good its whole capital stock within sixty days, shall forthwith call upon its stockholders for such amounts as will make its capital equal to the amount fixed by the charter of said company; and in case any stockholder of such company shall neglect or refuse to pay the amount so called for, after notice personally given or by advertisement in such time and manner as the said commissioner shall approve, it shall be lawful for the said company to require the return of the original certificate of stock held by such stockholder, and in lieu thereof to issue new certificates for such number of shares as the said stockholder may be entitled to in the proportion that the ascertained value of the funds of the said company may be found to bear to the original capital of the said company; the value of such shares for which new certificates shall be issued to be ascertained under the direction of the said commissioner, and the company paying for the fractional parts of shares; and it shall be lawful for the directors of such company to create new stock and dispose of the same, and to issue new certificates therefor to any amount sufficient to make up the original capital of the company. Whenever the capital stock of any joint stock fire or marine insurance company of this state becomes impaired, the commissioner may, in his discretion, permit the said company to reduce its capital stock and the par value of its shares in proportion to the extent of impairment: *Provided*, That in fixing such reduced capital no sum exceeding twenty-five thousand dollars shall be deducted from the assets and property on hand, which shall be retained as surplus assets: *And provided*, That no part of such assets and property shall be distributed to the stockholders: *And provided further*, That the capital stock shall not be reduced to an amount less than that required by law for the organization of the company.

Seventh. It shall be the duty of the insurance commissioner after he has notified a life insurance company, organized under authority of this state, to cease doing new business until the net value of its policies in force is equal to that called for by the standard of safety established by the state, at once to cause a rigid examination in regard to all the affairs of such company; in case it shall appear that there is no fraud or gross incompetency or recklessness shown to exist in the management, he may, upon publishing the facts in the case, permit such company to continue in charge of its business for one year: *Provided*, There is, in his opinion, reason to believe that the company may eventually be able to re-establish the legal net value of all its policies in force. At the end of the year named above, he may renew the permission, in case, on examination, he is satisfied that the company is likely to retrieve its affairs.

Eighth. Whenever the insurance commissioner shall have reason to believe that any insurance company of this State is insolvent or fraudulently conducted, or that its assets are not

Such companies to call for amounts from stockholders.

May issue new certificates in certain cases.

How value of shares to be ascertained.

New stock.

Commissioner may permit reduction of capital stock.

To examine affairs of life companies notified to cease doing new business.

May permit continuance of business in certain case.

To notify attorney general when companies are believed to be insolvent, &c.

Attorney general to apply to court for order on companies to close business.

Proceedings thereon.

To publish result of examinations.

Suspend business of companies for certain causes.

Report violations of law.

Furnish blanks.

Preserve record of proceedings.

Furnish certified copies of records.

Report to legislature.

Adopt seal.

Forbid fire and marine companies to insure lives.

May require access to records of companies.

May examine persons under oath.

sufficient for carrying on the business of the same, or during any non-compliance with the provisions of this act, he shall communicate the fact to the attorney general, whose duty it shall then become to apply to the supreme court or the district court, or any court of common pleas in this commonwealth, or in vacation to any of the judges thereof, for any order requiring said company to show cause why their business should not be closed; and the court or judge, as the case may be, shall thereupon hear the allegations and proofs of the respective parties, or appoint some suitable person as examiner to perform such duty and report upon the facts to said court or judge; if it appears to the satisfaction of said court or judge, that such company is insolvent, or that the interests of the public so require, the said court or judge shall decree a dissolution of such corporation and a distribution of its effects; but in case it shall appear to said court or judge, that said corporation is able to comply with the provisions of this act, and that it is not insolvent, a decree shall be entered annulling the act of the commissioner in the premises and authorizing such company to resume business.

Ninth. The insurance commissioner shall publish the result of his examination of the affairs of any company, whenever he deems it for the interest of the public so to do, in one or more publications of this state; suspend the entire business of any company of this state, and the business within this state of any other company, during its non-compliance with any provision of this act, or whenever its assets appear to him insufficient to justify its continuance in business, by suspending or revoking the certificate granted by him; report to the attorney general any violation of law relative to insurance companies, their officers or agents; furnish to the companies the necessary blank forms for the statements required; preserve in a permanent form a full record of his proceedings and concise statement of the condition of each company or agency visited or examined; at the request of any person, and on payment of the fee to give certified copies of any record in his office, when he deems it not prejudicial to the public interest; report annually to the legislature the receipts and expenses of his department for the year, his official acts, the condition of companies doing business in this state, and such other information as will exhibit the affairs of his department; adopt and renew from time to time, with the approval of the governor, a seal of office, an impression of which shall be filed in the office of the secretary of the commonwealth; and it shall be his duty to see that no company is permitted to enter into new contract to insure lives in this state, who continue to do fire, marine or inland insurance business.

Tenth. The insurance commissioner, for the purposes of examination authorized by this act, is hereby empowered, either in person or by one or more examiners by him commissioned in writing, to require free access to all books and papers within this state of any insurance company, or the agents thereof, doing business within this state; to summon and examine any person being within this state, under oath, which he or any examiner may administer, relative to the af-

fairs and condition of any company; for probable cause to visit at its principal office, wherever it may be, any insurance company not of a state in which the substantial provisions of this act shall be enacted, and doing business in this state, for the purpose of investigating its affairs and condition, and to revoke its certificate in this state granted as hereinafter described, if it does not permit an examination; to revoke or modify any certificate of authority, when any conditions prescribed by law for granting it no longer exist. The insurance commissioner is hereby empowered to institute suits and prosecutions, either by the attorney general or such other attorney as the commissioner may designate, for any violation of this act; and the commissioner shall be made a party to any proceedings instituted for the purpose of closing up the affairs of any company, when the same shall not be in the name of the commonwealth.

Visit offices of foreign companies.

Revoke certificates

Institute suits, &c.

SECTION 6. The commissioner may employ an actuary to make the valuation of life policies, at the compensation of not exceeding three cents for each thousand dollars of insurance, to be paid by the company for which the valuation is made; and there shall be paid by every company to which this act applies, the following fees towards defraying the expenses of enforcing its provisions: For filing certified copy of charter, twenty-five dollars; for filing the annual statement or certificate in lieu thereof, twenty dollars; for each certificate of authority and certified copy thereof, two dollars; for every copy of any paper filed in the department, the sum of twenty cents per folio, and for affixing the official seal to such copy and certifying the same, one dollar; for official examinations of companies under this act, the actual expenses incurred.

May employ actuary to make valuation of life policies.

Fees to be paid by companies.

SECTION 7. The insurance commissioner shall, on or before the tenth day of each month, make report to the auditor general, showing the entire amount of fees received by him during the month preceding, and pay over the same to the state treasurer; and in case the necessary expenses of said department exceed the amount of fees collected under this act, exclusive of the tax upon premiums, the excess of such expense shall be annually assessed by the commissioner, in just proportion, upon all the insurance companies doing business in this state, and the commissioner is empowered to collect such assessments and pay the same into the state treasury; and all the necessary expenses of the commissioner in the execution of this act shall be paid by the state treasurer upon his certificate and the warrant of auditor general, out of the fund thus created.

Commissioner to report and pay over fees.

Excess of expenses to be assessed on companies.

Payment of necessary expenses.

SECTION 8. Within ninety days after the first Monday of May next, it shall be the duty of every insurance company of this state to file with the commissioner a certified copy of its charter, together with a certificate, stating the time of its organization, the location of its principal place of business and the names and residence of its officers; and the commissioner shall proceed, as soon as practicable thereafter, to institute an examination into its affairs, in accordance with the provisions of this act; and any company failing to comply with

Companies to file certified copies of charters, &c.

Penalty for failing to comply with section.

Transaction of business prohibited until act is complied with.

Acting as agent or solicitor of foreign companies, prohibited until act is complied with.

Such companies to make report and pay tax.

Certificate not to be renewed until tax is paid.

To certify names of agents.

Agents to procure certificates.

Companies to transmit annual statement to commissioner.

the requirements of this section, shall be subject to a fine of one hundred dollars for each month's delay, to be collected as other fines and penalties under this act.

SECTION 9. It shall be unlawful for any person, company or corporation, to negotiate or solicit within this state any contract of insurance, or to effect an insurance or insurances, or pretend to effect the same, or to receive and transmit any offer or offers of insurance, or receive or deliver a policy or policies of insurance, or in any manner to aid in the transaction of the business of insurance without complying fully with the provisions of this act.

SECTION 10. No person shall act as agent or solicitor in this state of any insurance company of another state, or foreign government, in any manner whatever relating to risks, until the provisions of this act have been complied with on the part of the company or association, and there has been granted to said company or association, by the commissioner, a certificate of authority, showing that the company or association is authorized to transact business in this state; and it shall be the duty of every such company or association, authorized to transact business in this state, to make report to the commissioner in the month of January of each year, under oath of the president or secretary thereof, showing the entire amount of premiums of every character and description received by said company or association in this state, during the year or fraction of a year ending with the thirty-first day of December preceding, whether said premiums were received in money or in the form of notes, credits or any other substitute for money, and pay into the state treasury a tax of three per centum upon said premiums; and the commissioner shall not have power to grant a renewal of the certificate of said company or association until the tax aforesaid is paid into the state treasury.

SECTION 11. Companies to which certificates of authority are issued, as provided in the preceding section, shall, from time to time, certify to the commissioner the names of the agents appointed by them to solicit risks in this state; and no such agent shall transact business until he has procured from the commissioner a certificate, showing that the company has complied with the requirements of this act, and that the person named in said certificate has been duly appointed its agent.

SECTION 12. Every insurance company, including individuals, partnerships, joint stock associations and corporations conducting any branch of insurance business in this state, must transmit to the insurance commissioner a statement of its condition and business, for the year ending on the preceding thirty-first day of December, which statement shall be rendered on the first day of January following, or within sixty days thereafter, except that foreign companies shall transmit their statement of business, other than that done in the United States, prior to the following first day of July, which statements must be in form, and state the particulars required by the blanks prescribed by the commissioner; and the insurance commissioner may require, at any time, state-

ments from any company doing business within this state, or from any of its officers or agents, on such points as he deems necessary and proper to elicit a full exhibit of its business and standing, all of which statements herein required must be verified by the signatures and oaths of the president or vice president, with those of the secretary or actuary. No company having neglected to file a statement required of it within the time and manner prescribed, shall do any new business, after notification by the insurance commissioners, while such neglect continues; and any company or association neglecting to make and transmit any statement required shall forfeit one hundred dollars for each day's neglect.

Statements on particular points.

Neglect to make or file statement.

SECTION 13. No insurance company, not of this state, nor its agents, shall do business in this state until he has filed with the insurance commissioner of this state a written stipulation, duly authenticated by the company, agreeing that any legal process affecting the company served on the insurance commissioner, or the party designated by him, or the agent specified by said company to receive service of process for the said company, shall have the same effect as if served personally on the company within this state, and if such company should cease to maintain such agent in this state so designated, such process may thereafter be served on the insurance commissioner; but so long as any liability of the stipulating company to any resident of this state continues, such stipulation cannot be revoked or modified, except that a new one may be substituted, so as to require or dispense with the service at the office of said company within this state, and that such service of process according to this stipulation shall be sufficient personal service on the company. The term process includes any writ of summons, subpoena, or order, whereby any action, suit or proceedings shall be commenced, or which shall be issued in or upon any action, suit or proceedings brought in any court of this commonwealth having jurisdiction of the subject matter.

Provisions relative to service of process on foreign companies.

SECTION 14. That any person or persons, or corporation, receiving premiums, or forwarding applications, or in any other way transacting business for any insurance company or association not of this state, without having received authority agreeably to the provisions of this act, shall forfeit and pay to the commonwealth the sum of five hundred dollars for each month or fraction thereof during which such illegal business was transacted, and any company not of this state doing business without authority, shall forfeit a like sum for every month or fraction thereof, and be prohibited from doing business in this state until such fines are fully paid.

Penalty for transacting business for foreign companies without authority.

SECTION 15. The taxes, fines and penalties provided in this act shall, in case of non-payment, after notice from the commissioner, be collected as taxes upon corporations or individuals are now collected by law, and for this purpose the insurance commissioner shall have all the powers now conferred by law upon the auditor general in the settlement of accounts, subject, however, to the approval of the state treasurer, and to the right of appeal as in other cases.

How taxes, fines and penalties to be collected.

When act to apply
to foreign compa-
nies.

Eighth section only
to apply to certain
companies.

Municipalities not
to impose license
fees or taxes.

Act of April 11th,
1868, repealed.

SECTION 16. The provisions of this act shall not be applicable to insurance companies incorporated by other states, or by the United States, or by foreign governments, until from and after the first day of January, Anno Domini, one thousand eight hundred and seventy-four; nor shall it apply, excepting the eighth section of this act, to fire insurance companies of this State organized and conducted on the purely mutual plan with premium notes as the basis of security, and without capital stock, guaranty capital or accumulated reserve in lieu of capital stock, but the mutual companies aforesaid shall, at all times, be required to answer such interrogatories as the insurance commissioner may require, in order to ascertain their true character and condition, and for this purpose he may, at any time, institute an examination into their affairs, as in the case of companies subject to the general provisions of this act.

SECTION 17. That it shall not be lawful for any city, county or municipality to impose or collect any license fee or tax upon insurance companies or their agents, authorized to transact business under this act.

SECTION 18. That an act to revise, amend and consolidate the several laws regulating the licensing of foreign insurance companies, approved April eleventh, Anno Domini one thousand eight hundred and sixty-eight, is hereby repealed, said repeal to date from the first day of January, Anno Domini one thousand eight hundred and seventy-four, saving, however, to the commonwealth the right to collect all taxes and fees accrued under said act.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 4.

An Act

To provide for the incorporation of iron and steel manufacturing companies.

For what purposes
companies may be
incorporated.

Capital stock.

Certificate.

SECTION 1. *Be it enacted, &c.,* That when any three or more persons may desire to form a company, under the provisions of this act, for the purpose of making iron or steel, or of manufacturing iron or steel in any shape or form, either of these metals exclusively, or in combination with other metals or with wood, and shall have subscribed as capital stock for that purpose a sum not less than twenty thousand dollars, and actually paid in to such person or persons as they may have appointed to receive the same, ten per centum of the capital stock so subscribed, it shall and may be lawful for them to prepare a certificate, in writing, in which shall be stated the

corporate name of said company, and the amount of the capital stock thereof, the number and value of the shares into which said stock has been divided, the amount of stock subscribed, the amount actually paid in and to whom paid, the names and residence of the subscribers, and the number of shares subscribed by each, the name of the county in which the chief operations of the company are to be carried on, and the names of the president and directors who shall manage the affairs of said company until the next election, which shall be signed and verified by the affidavit of the president and directors therein named.

SECTION 2. That the said certificate shall be filed in the office of the secretary of the commonwealth, who shall enter thereon the date of the filing of the same, and submit it to the attorney general of the commonwealth for examination; and if the attorney general shall find the certificate to be properly drawn, signed and acknowledged, according to the provisions of this act, then the secretary of the commonwealth shall cause a true copy thereof to be recorded at length in a suitable book to be kept in his office for that purpose, and the governor shall issue letters patent under the great seal of the commonwealth, declaring the subscribers to the stock of said company, and those who may thereafter become subscribers or holders of the said stock, to be a body politic and corporate, in fact and in law, by the name, style and title stated in the certificate as aforesaid.

To be filed in secretary's office, and submitted to attorney general.

Copy to be recorded

Letters patent.

SECTION 3. That every such company shall have power to make and use a common or corporate seal, and to change, alter or amend the same at pleasure, and by their corporate name shall be competent in law to sue and be sued in any court of this commonwealth; and they shall have power to make and establish such rules, regulations and by-laws, not inconsistent with the constitution and laws of this commonwealth, as they may deem necessary or convenient for the government of the corporation and for conducting or managing their business, providing for the election or appointment of a treasurer and secretary, and such other officers and agents as the business of the company may require.

Corporate powers.

SECTION 4. That the capital stock of every such company shall consist of not less than twenty thousand dollars nor more than one million dollars, and shall be divided into shares of not more than one hundred dollars each; and all subscriptions to the capital stock shall be paid in such instalments, and at such times as the directors may require; and if default be made in any payment, the person or persons in default shall be liable to pay, in addition to the amount so called for and unpaid, at the rate of one per centum per month for the delay of such payment, and the directors may cause suit to be brought for the recovery of the amount due, together with the penalty of one per centum per month as aforesaid; and no stockholder shall be entitled to vote at any election, or at any meeting of the stockholders, on whose share or shares any instalment or arrearages may have been due and unpaid for the period of thirty days immediately preceding such election or meeting. The shares of the capital stock of every

Amount of capital stock.

Payment of subscriptions.

Default of payment.

Stockholders in arrears not to vote

How shares transferred. such company may be transferred on the books of the company, in person or by attorney, subject to such regulations as the by-laws may prescribe. The amount of the capital stock may be increased or diminished at any general election or special meeting of the stockholders, by a vote of two-thirds of all the shares of the stock held by such company: *Provided*, Every such increase or diminution shall be certified by the president and secretary, within thirty days, to the secretary of the commonwealth and to the auditor general.

How stock increased or diminished.

President and directors.

SECTION 5. That the business of every such company shall be managed by the president and board of directors, who shall be selected annually by stockholders from among their number, at such time and in such manner as the by-laws may prescribe, and shall continue in office until their successors are duly chosen: *Provided*, The board of directors shall not consist of less than three members including the president, and a majority of the board shall be citizens of this commonwealth. All elections by the stockholders shall be by ballot, and every share of stock shall entitle the holder thereof to one vote, in person or by proxy.

Elections.

Real estate.

Mining and manufacturing privileges.

SECTION 6. That every such company shall have the right to purchase, lease, hold, mortgage and sell real estate and mineral rights, to prove and open mines, to mine and prepare for market or for their own use and consumption, iron ore and other minerals, and to erect and construct furnaces, forges, mills, foundries, manufactories and such other improvements and erections as they may deem necessary, and to manufacture iron and steel, in all shapes and forms, either of these metals exclusively or in combination with other metals, or with wood, and to transport all of said articles, or any of them, to market, and to dispose of the same, and to do all such other acts and things as a successful and convenient prosecution of said business may require; *Provided*, They shall not at any one time have more than five thousand acres of land within this commonwealth, including leased lands.

Limitation.

May issue and sell bonds.

SECTION 7. That every such company may make and issue bonds, with or without coupons attached, bearing interest not exceeding eight per centum per annum, and sell, exchange or otherwise dispose of the same upon such terms and conditions as they may deem advisable; and such bonds and the interest thereon may be secured by a mortgage or mortgages upon the corporate franchises, real and leasehold estate: *Provided*, They shall not issue bonds for a greater sum than three times the amount of the capital stock paid in.

Bonus on stock.

SECTION 8. That every company incorporated under the provisions of this act, shall pay into the treasury of the commonwealth a bonus of one quarter of one per centum upon the original amount of the capital stock, and upon any increase thereof, in five equal annual instalments, and such taxes as are or may be required by law; and the stockholders shall only be individually liable for debts due to the laborers for services, and in that case for no period exceeding six months.

Individual liability of stockholders.

Annual statement.

SECTION 9. That the president and directors of every such company, shall annually lay before the stockholders a full and complete statement of the business and affairs of the com-

pany, for the preceding year; and it shall also be their duty to make report to the auditor general annually, at such time and in such form as he may prescribe, of the operations of the company for the preceding year, to the end that he may ascertain the amount of tax due by said company to the commonwealth; and such report shall be verified by the oaths or affirmations of president and treasurer of such company; and any such company which shall neglect or refuse for sixty days after notice given to report to the auditor general, as aforesaid, shall be liable to a penalty of five hundred dollars for the use of the commonwealth, to be sued for and recovered as debts of like amount are or may be by law recoverable.

Report to auditor general.

Failure to make report.

SECTION 10. That whenever any persons, forming a company under the provisions of this act, shall state in the certificate required by the first section of said act, that they are willing that the stockholders shall be individually liable for all debts of the company as fully as if they were members of a partnership, then, and in that event, the stockholders of such company, whether holding the certificates of stock in their own name, or being the parties beneficially interested therein, shall be jointly and severally liable, in their individual capacities and estates, for all debts, contracts, or other liabilities of the company, contracted or incurred during the time such stockholders respectively own their stock, or are beneficially interested therein: *Provided*, That all companies incorporated under this act, upon the condition aforesaid, and whose stockholders shall thereby assume such individual liabilities as aforesaid, shall be subject to only one-half the taxation now or hereafter imposed by the laws of this commonwealth upon such incorporated companies.

Persons forming companies may consent to individual liability of stockholders.

Companies whose stockholders assume such liability, subject to half taxation only.

SECTION 11. That it shall and may be lawful for any corporation organized under this act, to appropriate any stream or streams, spring or springs, flowing through or along or rising upon any lands belonging to and owned by such corporation, in the vicinity of their works, for the purpose of supplying the same with steam or water power, upon the said corporation filing in the office of the prothonotary of the court of common pleas of the county in which such works may be located, a draft or drafts, showing the stream or streams, spring or springs, which may have been appropriated for the purposes aforesaid, whereupon it shall not be lawful for any other corporation or individual to divert or use the water of any stream or streams spring or springs, thus appropriated, so as to diminish the usual accustomed and natural flow thereof: *Provided*, That every corporation thus appropriating any stream or streams, spring or springs, shall, after using the waters of the same for their manufacturing necessities, return the same into the usual and accustomed channel whereby the waters of such stream or streams, or spring or springs, have theretofore been accustomed to flow off or along the lands of such corporation.

May appropriate streams.

Upon filing draft, others prohibited from using streams

Waters to be returned to their usual channel.

SECTION 12. The incorporation of any association of persons under the provisions of this act, shall be held and taken to be of the same force and effect as if the powers and privileges conferred, and the duties enjoined, had been conferred

Effect of incorporation of companies under act.

and enjoined by special act of the legislature; and the franchises granted shall be construed according to the same rules of law and equity as if it had been created by special charter, and no modification or repeal of this act affect any franchise obtained under the provisions of the same.

Other corporations
may subscribe to
stock, or purchase
bonds, &c.

SECTION 13. That it shall and may be lawful for any incorporated company of this commonwealth to subscribe and take shares of stock in any company incorporated under the provisions of this act, or to purchase the bonds or stock, or guarantee the payment of said bonds and the interest thereon, or either principal or interest.

Repeal.

SECTION 14. That all laws and parts of laws inconsistent with this act be and the same are hereby repealed, so far as they may relate to or affect any company incorporated under the provisions of this act, or the stockholders of any such company: *Provided*, This shall not apply to laws imposing taxes upon such corporations.

APPROVED.—The 21st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 5.

An Act

Providing for the erection of a wash-house for the Pennsylvania State Lunatic Hospital, at Harrisburg, for the purchase of fixtures and machinery therefor, and for payment for clothing destroyed by the late fire.

WHEREAS, The wash-house of the said hospital, and some of its contents, were lately in great part destroyed by fire: *And whereas*, It is necessary that the same be immediately replaced; therefore,

SECTION 1. *Be it enacted, &c.*, That the sum of twenty-five thousand dollars, or so much thereof as shall be necessary, be and the same is hereby appropriated for the erection of the wash-house of the Pennsylvania State Lunatic Hospital, at Harrisburg, for purchase of machinery and fixtures therefor, and for replacing clothing destroyed in said fire.

APPROVED.—The 28th day of January, A. D. 1873.

J. F. HARTRANFT.

No. 6.

An Act

To repeal an act entitled "An Act supplementary to an act relating to the jurisdiction and powers of courts, approved the sixteenth day of June, Anno Domini, one thousand eight hundred and thirty-six."

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act supplementary to an act relating to the jurisdiction and powers of courts, approved the sixteenth day of June, Anno Domini, one thousand eight hundred and thirty-six," and approved the tenth day of June, Anno Domini, one thousand eight hundred and seventy-one, be and the same is hereby repealed, with like effect as if the same had not been enacted.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 7.

An Act

Declaratory of the law relating to square timber taken adrift in the West Branch, and regulating the control of the same.

SECTION 1. *Be it enacted, &c.*, That it is the true intent and meaning of the several acts of this general assembly, regulating the taking up of lumber or logs adrift in the West Branch of the Susquehanna and its tributaries, that none of the provisions thereof are applicable to squared timber taken from landings or moorings, or from the banks of the said streams, within the counties of Elk, Cambria, Cameron, Clearfield, Indiana, Centre, Clinton or Lycoming, by extraordinary freshets or ice floods, and driven or floated down the said streams thereby; but that all of the said squared timber so as aforesaid taken adrift and lodged or found upon the banks, within the bed or on lands adjoining said West Branch, or its tributaries, at any point on the same, shall be as fully, to all intents and purposes, the property of those out of whose possession the same was taken by said freshets or floods, at the place at which it may be found, as it was when lying at the landings from which it was taken away; and no claim for salvage, bank leave, or labor expended thereon shall be of any validity whatever in regard thereto; but the parties owning the same, or their agents, may enter on the said land, adjoining the said streams, or within the bed or banks thereof, and remove

Former acts not applicable to timber taken from landings by extraordinary freshets or ice floods.

To be property of persons from whose possession taken.

Claims for salvage, &c., not valid.

Owners may remove same on payment of damages.

Prize masters to be appointed.

To give security.

Their duties.

Boom companies deliver up timber on demand made.

Prize masters may sue for timber not delivered.

the same by paying such damages as may accrue to the owners of the land on which said timber may be found.

SECTION 2. That the court of common pleas of Clearfield county, or two of its judges, shall appoint three experienced and competent lumbermen, actually engaged in the business of taking square timber to market, who shall each give bond in five thousand dollars, with two sureties to be approved by the said judges, for the faithful performance of their duties, who shall be known as prize masters, and shall be subject to the control and jurisdiction of the said court in all things relating to their said duties; and it shall be their duty to take charge of all unmarked square timber, so as aforesaid taken adrift by extraordinary freshets or ice floods on the stream, and its tributaries aforesaid, and found and being in the bed, on the banks, on lands adjoining the said streams, or in the custody and possession of persons whom they have reason to suspect obtained the same without authority, to gather up the same and secure it wherever found, and in whosoever possession the same may be, to distinctly mark the same with a mark by them to be selected and duly registered at all the booms and in the officers of the prothonotaries of Clearfield and Clinton counties, to keep accurate accounts of the same by size and length, kind of timber, and apparent value; and they shall hold said squared timber to deliver it to the owner or owners at any time prior to the sale thereof, when he or they shall satisfy by proof the said prize masters, or a majority of them, that it is his or their property, and shall pay to them a just pro rata for the expenses incurred in taking up and securing the same; they shall after three months from such freshets shall have passed, or at such other times as they may fix, proceed to sell in open market, for the best price they can obtain, all of the said timber then remaining in their hands, for which no owner hath appeared and proved his right; and after deducting expenses of the performance of their duties herein provided for, and of securing and selling said squared timber, they shall distribute the proceeds under the order of the court aforesaid, pro rata among all those who shall prove to an auditor to be by said court appointed, the quantity, value, kind and character of the timber, so as aforesaid taken from them; and no provision of law now in existence shall authorize any boom company in said stream to charge for boomage or hold therefor any square timber going into the said booms, but on demand therefor, either by the owners thereof or by the prize masters herein named, the same shall be delivered up at the earliest day practicable; and a right of action shall accrue to and exist in favor of said prize masters for all unmarked square timber, which on demand therefor shall not be to them delivered by any corporation, person or persons, in whose possession the same may be; and the said corporation, person or persons, shall not be permitted to defend said action by showing title or ownership thereof in any other person or persons, corporation or corporations than themselves: *Provided*, That they may show and prove a bona fide purchase thereof, from the real owner before suit is brought.

SECTION 3. All laws or parts of laws inconsistent with the provisions of this act, be and the same are hereby repealed. Repeal.

APPROVED—The 11th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 8.

An Act

Authorizing mining and manufacturing companies, or other organized companies or individuals, to give, and banks or other organized companies or individuals, to take and hold mortgages on real estate, to secure payment of notes, bills and renewals thereof.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for mining and manufacturing companies organized under any special or general law of this commonwealth, or for any other organized company or individual, to execute and deliver, and for all banks organized under any law of this commonwealth, or any other organized company, individual or individuals, to take and hold mortgages on real estate to secure payment of such notes, bills and other negotiable or other paper and renewals thereof, belonging to or made by said companies, as the said banks, company, individual or individuals shall agree to, and execute, from time to time, for discount or otherwise: *Provided*, That such mortgage shall operate as a lien from the date of the record of such instrument.

APPROVED—The 17th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 9.

An Act

In relation to writs of estrepement.

SECTION 1. *Be it enacted, &c.*, That the president judges of the several courts of common pleas of this commonwealth, shall and may exercise in vacation all the powers and authority of dissolving writs of estrepement that could be exercised by the courts over which they preside when in session: *Provided*, That notice shall be first given to the opposite party.

APPROVED—The 18th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 10.

An Act

To authorize the governor to appoint additional notaries public.

SECTION 1. *Be it enacted, &c.*, That the governor is hereby authorized to appoint as many notaries public as in his judgment the interests of the public may require: *Provided*, That before any commission shall be issued under this act, a receipt from the state treasurer shall first be produced, showing the payment of twenty-five dollars into the state treasury, for the use of the commonwealth.

APPROVED—The 19th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 11.

An Act

To authorize mining and manufacturing companies to issue bonds and mortgages, and to use the same as collaterals for bank accounts.

May issue and sell
bonds secured by
mortgages on real
estate.

Interest on bonds.

May use bonds and
mortgages as col-
laterals for dis-
counts.

SECTION 1. *Be it enacted, &c.*, That mining and manufacturing companies organized under any general or special law of this commonwealth, are hereby authorized to issue and sell their coupon or registered bonds, secured by mortgages upon the real estate of said companies, to an amount not exceeding two-thirds of the capital stock of such companies, and to pay interest on said bonds at any rate not exceeding eight per centum per annum: *Provided*, That such issue shall be deemed necessary by the board of directors, either for the payment of indebtedness to construct improvements or to purchase lands and materials.

SECTION 2. That manufacturing and mining companies are hereby authorized to make bonds and mortgages and use them as collateral on which to obtain discounts from banks and banking companies or individuals.

APPROVED—The 20th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 12.

An Act

To increase the pay of jurors in this commonwealth.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act the pay of jurors in this commonwealth shall be two dollars a day, with mileage as now allowed by law: *Provided*, That the provisions of this act shall not apply where the pay of jurors is now fixed by law at more than two dollars per day.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 13.

An Act

To facilitate the settlement of estates of decedents.

SECTION 1. *Be it enacted, &c.*, That where moneys or other estate of a decedent have been or shall be attached in the hands of executors or administrators, the garnishee may, after the third term, apply by petition to the court out of which the attachment issued, asking the court to grant a rule on the plaintiff and defendant to appear and show cause why the attachment shall not be proceeded in within such time as the court may order and direct; and upon hearing had, it shall be lawful for the court, upon neglect or refusal of the plaintiff to proceed as required, to make an order on the record discharging the garnishee and the property in his hands from all liability for such debt or demand: *Provided*, That this act shall not apply where the property sought to be attached shall not be yet due and payable by the garnishee.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 14.

An Act

To prevent railroad companies and other corporations, now or hereafter created under the laws of this commonwealth, from constructing any railroad or other works within, over, or upon the lands, tenements or hereditaments belonging or appertaining to the Pennsylvania State Lunatic Hospital, situate in Dauphin county.

WHEREAS, The constructing of any railroad through the grounds of said hospital would be detrimental to the interests of those for whose benefit and improvement the same was built, and dangerous to them when taking exercise and recreation within the grounds thereof; therefore,

SECTION 1. *Be it enacted, &c.*, That it shall not be lawful for any railroad company or other corporations now or hereafter created under the laws of this commonwealth, and the same are hereby forbidden and prohibited from entering in or upon or from constructing or building any railroad, or other works, within, upon or over any lands, tenements or hereditaments belonging or appertaining to the said the Pennsylvania State Lunatic Hospital.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 15.

A Supplement

To an act to provide for the erection of a state penitentiary, on the public land adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny, approved March third, Anno Domini one thousand eight hundred and eighteen.

Preamble.

WHEREAS, The location of the Western penitentiary, made over fifty-four years ago, has been included within the corporate limits of the city of Allegheny, and the city parks, and a closely built city surround it on all sides:

And whereas, The said penitentiary is wholly inadequate to the wants of the present time, being entirely too small and improperly arranged to suit the prison discipline of the present age; therefore,

Commission appointed to examine site and report to legislature.

SECTION 1. *Be it enacted, &c.*, That a commission, consisting of Hugh S. Fleming, Theodore H. Nevin, Henry M. Long, George D. Riddle, Hugh M'Neill, Alfred Slack, James M

Brier, George V. Lawrence, John L. George, John K. Ewing and Ormsby Phillips, are hereby authorized and empowered to examine, and report to the legislature at its present or next session, a suitable site within fifty miles of the city of Allegheny, upon which may be erected new buildings, to be used and occupied as the Western Pennsylvania.

SEC. 2. That said commission, in their report, shall include the estimates of cost, and other data and matter bearing on the subject of such removal of said Western penitentiary: *Provided*, That the State shall be at no expense by the creation of said commission.

To estimate cost of removal, &c.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 16.

A Supplement

To an act to permit the voters of this commonwealth to vote every three years on the question of granting licenses to sell intoxicating liquors, approved twenty-seventh March, one thousand eight hundred and seventy-two.

WHEREAS, Under the provisions of the first section of the act approved twenty-seventh March, one thousand eight hundred and seventy-two, there is or may be some doubt as to the time of holding elections on the question of license or no license in certain cities and boroughs wherein the municipal elections heretofore by law fixed do not occur upon the same day as in the townships of the county wherein said cities or boroughs are located. Preamble.

SECTION 1. *Be it enacted, &c.*, That now it is hereby declared to be the true intent and meaning of said act, that the election under the provisions of the first section thereof should be held in all the election districts and precincts of any county, including the cities and boroughs therein situated, upon the same day; and whenever by law the municipal elections in any city or borough occur at a different date from the municipal elections in the townships of the county in which said city or borough or boroughs may be holden, the election upon the question of license in said city or borough or boroughs may and shall be held upon the day now fixed by law for holding township elections in such county, and by the proper officers thereof, under the provisions of the first section of the act to which this is a supplement. When election to be held.

SECTION 2. Whenever, upon the passage of this supplemental act, the day of township elections in any county may have passed, in which county there were any city, borough or boroughs in which the annual municipal elections have not Cases where borough or city elections occur on or before third Friday of March.

Cases where such elections do not occur on or before third Friday of March.

Votes of boroughs to be added to votes of townships.

Votes of cities to be certified to court separately.

If majority be against licenses, none to be granted.

Election officers to conduct elections.

Compensation.

Certain elections declared valid.

Districts that have voted under special acts, may vote under act of March 27, 1873.

Allegheny county, act of April 3, 1872, declared in full force.

been held, the qualified voters in said city, borough or boroughs, in any such county, may vote upon the question of license on the day of the annual municipal election for such city, borough or boroughs, for the year one thousand eight hundred and seventy-three, when such annual municipal election occurs on or before the third Friday of March, and triennially thereafter; but when such municipal elections, in any such city, borough or boroughs, do not occur on or before the third Friday of March, then, in any such case, the election upon the question of license shall be held on said third Friday of March, and not later. The votes for or against license in any such borough or boroughs shall be added to and counted with the votes for and against license polled in the townships of the county in which said borough or boroughs may be located the same as if cast on the same day as the township elections; and the votes for and against license in any city shall be counted and certified to the court or board of license commissioners, as the case may be, separate from the vote of the townships and boroughs in any county wherein said city may be located; and if a majority vote of such city is against license, then no license shall be granted for such city, but if a majority vote of such city is for license, then licenses may be granted for such city.

SECTION 3. The proper election officers of each election district in any such city, borough or boroughs, are hereby authorized and required to hold and conduct an election upon the day or days mentioned in the law to which this is a supplement or in this supplemental act; and the election officers shall be entitled to pay therefor as for like services in holding other elections: *Provided*, The election occurs on a day different from the municipal election.

SECTION 4. If an election in any city, ward or borough has been already holden under the act to which this is a supplement, or under any special act, wherein the question of license or no license has been voted upon, though not upon the day of any municipal election in such city or borough, such election is hereby declared to be legal and valid.

SECTION 5. In all cases where elections have heretofore been held in any township, ward or borough, or in any district of any city or county of this commonwealth, under the provisions of any special act heretofore passed, authorizing the citizens thereof to vote on the question of granting licenses for the sale of liquors, the qualified electors of such wards, districts or boroughs shall not be debarred from voting under the provisions of the act to which this is a supplement by reason of their having voted as aforesaid, or by reason of any provision or limitation in any special act whatever; but all the qualified voters of every county and city in the State shall be entitled to vote on the question of granting license, in such manner and under such restrictions as are provided in this act and the act to which it is a supplement.

SECTION 6. That the act, entitled "An Act to regulate the sale of intoxicating liquors, in the county of Allegheny," approved April third, one thousand eight hundred and seventy-two, was not intended to repeal the act to which this is a

supplement, but the same is hereby declared to be in as full force and effect as if the act approved April third, one thousand eight hundred and seventy-two had never been passed; and that the election provided for to take place under and in pursuance of said act of March twenty-seventh, one thousand eight hundred and seventy-two, shall be held on the third Friday of March, one thousand eight hundred and seventy-three, and every third year thereafter, in the several wards, boroughs and townships in said county of Allegheny, not excepted in said act.

When election provided for in said act to be held.

SECTION. 7. That all elections held in the year one thousand eight hundred and seventy-three, under this act and the act to which this is a supplement, eight days notice of said election shall be sufficient; and that all elections held thereafter under this act and the act to which it is a supplement, notice of said election shall be given as is required by the provisions of the act to which this is a supplement: *Provided*, That the provisions of this act shall not be so construed as to repeal or affect any special law prohibiting the sale of intoxicating liquors or the granting of licenses in any district wherein the same is prohibited by existing laws; and it is further declared to be the true intent and meaning of section three of the act to which this is a supplement, that so much of said section as prohibits the issuing of licenses by any court or board of license commissioners in any district where there is a majority against license, shall apply to all officers authorized by existing laws to issue licenses for the sale of spirituous, vinous, malt or other intoxicating liquors, or any admixture thereof.

Notice of elections.

Act not to repeal special prohibitory laws.

All officers prohibited from issuing licenses when majority vote is against same.

SECTION 8. That the qualified electors of the city and county of Philadelphia, shall be entitled to vote on the question of granting licenses, in such manner and under such restrictions as are provided in this act and the act to which this is a supplement, at the first municipal election held in the city and county of Philadelphia, for the year eighteen hundred and seventy-three, and every three years thereafter at the annual municipal elections.

When question to be voted on in Philadelphia city and county.

APPROVED—The 6th day of March, A. D. 1873.

J F. HARTRANFT.

No. 17.

An Act

Granting the consent of the state of Pennsylvania to the acquisition, by the United States, of certain lands, for the purpose of the erection of a post office and other buildings, in the city of Harrisburg, and ceding jurisdiction over the same.

Consent of State given to purchase of land by United States.

SECTION 1. *Be it enacted, &c.,* That the consent of the state of Pennsylvania is hereby given to the acquisition, by the United States, by purchase or by condemnation under the laws of this state, of one or more pieces of land, situate in the city of Harrisburg, not exceeding in quantity one acre, on which to erect a court house, post office and other government buildings and appurtenances; and the said United States shall have, hold, use, occupy and own the said land or lands, when purchased, and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

How United States to be governed in case condemnation is resorted to.

SECTION 2. In case the United States shall decide to resort to condemnation in acquiring land, for the purposes specified in the first section of this act, the said United States shall, in all respects, be governed by the laws of this State, regulating the appropriation of private property for public use; and said laws are hereby made applicable: *Provided,* That the United States may pay the costs and refuse to take the land, if, in their judgment, the compensation assessed therefor is excessive.

Jurisdiction over land, to be ceded to United States.

SECTION 3. The jurisdiction of the state of Pennsylvania in and over the said land or lands, when purchased or taken by the United States, shall be and the same is hereby ceded to the United States; but the jurisdiction hereby ceded shall continue no longer than the said United States shall own the said land or lands.

Condition upon which consent is given and jurisdiction ceded.

SECTION 4. The said consent is given and the said jurisdiction ceded upon the express condition that the state of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land or lands, so far as that all civil process, in all cases, and such criminal or other process, as may issue under the laws or authority of the state of Pennsylvania, against any person or persons charged with crimes or misdemeanors, committed within said state, including said lands, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

When jurisdiction ceded to vest.

SECTION 5. The jurisdiction hereby ceded, shall not vest until the United States shall have acquired the title to said land or lands, as herein provided; and so long as the said land or lands shall remain the property of the United States, when acquired as aforesaid, and no longer, the same shall be

and continue exonerated from all taxes, assessments and other charges which may be levied under the authority of this state. Land to be exonerated from taxes.

SECTION 6. It is further enacted that any malicious, wilful, reckless or voluntary injury to or mutilation of the grounds, buildings, or appurtenances, shall subject the offender or offenders to a fine of not less than twenty dollars, to which may be added, for an aggravated offence, imprisonment not exceeding six months in the county jail or workhouse, to be prosecuted before any court of competent jurisdiction. Penalty for injuries done to grounds.

SECTION 7. This act shall take effect immediately.

APPROVED—The 10th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 18.

An Act

Relative to the public ground.

SECTION 1. *Be it enacted, &c.,* That at any meeting of the court of quarter sessions of Dauphin county, after the passage of this act, it shall be the duty of the president judge thereof, to appoint three persons as viewers to view the ground in the city of Harrisburg, adjoining the public ground between Fourth and High streets, above Walnut, in said city, estimate its value, including the value of the buildings thereon erected, who, in connection with the attorney general, shall examine the titles thereof, make report to said court under oath or affirmation, setting forth in detail their award, and upon confirmation by said court, said viewers shall transmit the same to the governor, who shall thereupon draw his warrant on the state treasurer for the amount specified in said award, who shall proceed to pay the awards due each owner of property according to the terms set forth in said report; said owners perfecting titles in fee simple to the commonwealth: *Provided,* That the city of Harrisburg, by an ordinance duly passed and certified, shall release all the claim of said city to High street, from Walnut street to Fourth street, which is the west boundary to the lands proposed to be added to the present public grounds by this act, before any of said property shall be taken or paid for.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 19.

An Act

Authorizing state treasurer to pay the necessary expenses incident to the calling out of the National Guard, to assist the civil authorities in suppressing the recent riots in Lycoming county.

Preamble.

WHEREAS, During the riots at Williamsport, in July, one thousand eight hundred and seventy-two, the governor of the commonwealth called out certain portions of the National Guards to assist the civil authorities in maintaining the supremacy of the law :

And whereas, The most of those who so promptly responded to the call were taken from their business, on short notice, and were kept away from the same for, from ten to fifteen days, thereby suffering great pecuniary loss ; therefore,

Troops to receive one month's pay.

SECTION 1. *Be it enacted, &c.*, That the troops actually engaged at Williamsport in assisting to suppress said riots, shall be paid a full month's pay, in the manner prescribed by the act of assembly organizing the National Guard of Pennsylvania, and the sum of twelve thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the above named purpose.

Appropriation.

State treasurer to pay claims arising under first section.

SECTION 2. That the state treasurer is hereby authorized and directed to pay the claims arising under the first section of this act, on pay rolls, prepared and certified by the adjutant general and the major general who commanded the National Guard during said riots, and to be approved by the auditor general.

\$14,000 appropriated to pay expenses, &c.

SECTION 3. That the sum of fourteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated to pay the necessary expenses incurred in calling out, transporting and subsisting the troops that were called out to assist in suppressing said riots, and for the pay of the men who were called out who were not sent to Williamsport for the time they were actually on duty ; and the state treasurer is hereby authorized to pay the claims arising under this section, upon bills furnished and certified to be correct by the adjutant general and approved by the auditor general.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 20.

A Supplement

To an act providing for the taking of game.

SECTION 1. *Be it enacted, &c.,* That the true intent and meaning of section eight of an act approved the twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act providing for the taking of game," is, that the same applies to the trapping or snaring, in any manner, of any bird or birds mentioned in said section, subject, however, to the proviso therein contained.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 21.

An Act

To authorize railroad corporations to secure the payment of their bonds and obligations by a mortgage upon their property, rights and franchises.

SECTION 1. *Be it enacted, &c.,* That it shall be lawful for any railroad corporation of this commonwealth to secure the payment of any and all bonds and obligations which they have heretofore made and issued, or may hereafter make and issue, by a mortgage bearing a rate of interest not exceeding seven per centum per annum upon the whole or any part of their property, rights and franchises, subject to any prior incumbrances thereon: *Provided,* That this act shall not be construed to empower any railroad company to issue bonds in excess of the capital stock actually paid in.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 22.

An Act

Authorizing assignees of insurance policies to sue in their own name.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act it shall be lawful for the assignee or assignees of the whole or any part of any policy of life, fire or marine insurance, his executors or administrators, to bring suit, in the name of the assignee or assignees, for his, her or their interest in any policy of insurance, against the company issuing the same, upon the happening of the contingency provided against.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANT.

No. 23.

An Act

Relating to the revenues of the commonwealth.

Preamble

WHEREAS, In order to meet the increased expense resulting from the late war, and to extinguish the loan of three millions of dollars created for that purpose, as well as to place the credit of the commonwealth on a secure basis, it became necessary to establish an anomalous and somewhat burdensome system of taxation :

And whereas, The revenue raised by taxing the capital or the industry of the state ought not to exceed the amount necessary to meet the ordinary expenses of government and reduce the debt at a reasonable rate :

And whereas, In the act of February twenty-third, eighteen hundred and sixty-six, imposing a tax on the gross receipts of railroads and carrying companies, as well as in the revised tax laws of eighteen hundred and sixty-eight, it was clearly expressed to be for the purpose of extinguishing the loan created by the act of May fifteen, Anno Domini one thousand eight hundred and sixty-one, known as the war loan, which purpose is now substantially accomplished ; therefore,

Laws taxing horses and cattle for state purposes, repealed.

When to take effect

SECTION 1. *Be it enacted, &c.*, That all laws, or parts of laws, now in force in this commonwealth, under and by virtue of which taxes for state purposes are levied and assessed upon horses, mares, geldings, mules and cattle, shall be and they are hereby repealed, so far as they give authority to impose state taxes on the same: *Provided*, That this section shall not take effect until the next meeting of the board of revenue commissioners of this commonwealth.

SECTION 2. That so much of the sixth section of the act, entitled "An Act to revise, amend and consolidate the several laws taxing corporations, brokers and bankers," approved May first, Anno Domini one thousand eight hundred and sixty-eight, as imposes a tax upon the net earnings or income of incorporated companies liable to the tax on capital stock under the fourth section of said act, be and the same is hereby repealed, said repeal to take effect from and after the first day of November, Anno Domini one thousand eight hundred and seventy-two: *Provided*, That this act shall not be construed to release any taxes which accrued prior to the first day of November aforesaid, nor in any way to affect suits heretofore or hereafter brought in the name of the commonwealth, for the collection of such taxes, and the penalties and interest attached thereto, nor to release private bankers, brokers or incorporated companies having no taxable capital stock, but for such purposes the section hereby repealed shall continue in full force and effect.

Provisions taxing net earnings of corporations, repealed.

Not to release accrued taxes, affect suits, &c.

SECTION 3. That so much of the eighth section of the act last aforesaid, as imposes a tax upon the gross receipts of railroad, canal and transportation companies, be and the same is hereby repealed, said repeal to take effect from and after the first day of July next: *Provided*, That any company which has been exempt from the tax on tonnage by any special law, shall be liable to pay the tax of three-fourths of one per centum upon their gross receipts; and that this act shall not be construed to release any taxes upon gross receipts accruing prior to the first day of July next, nor in any way to affect suits heretofore or hereafter instituted in the name of the commonwealth for the collection of such taxes, and the penalties and interest attached thereto.

Provisions taxing gross receipts of railroad, canal and transportation companies, repealed.

Companies exempt from tonnage tax by special laws, to pay tax on gross receipts.

Not to release accrued taxes, &c.

SECTION 4. That every company, except bank or savings institutions incorporated under the laws of this commonwealth, and authorized to issue bonds or other evidences of indebtedness, and which pays interest to its bondholders or other creditors, shall pay to the state treasurer, for the use of the commonwealth, semi-annually, on the first days of July and January in each and every year, beginning with the first day of July, Anno Domini one thousand eight hundred and seventy-three, a tax equal to five per centum upon every dollar of interest paid as aforesaid; and it shall be the duty of any company aforesaid to make semi-annual reports to the auditor general, under oath, showing the total amount of the indebtedness of said company, and the amount of interest paid to their bondholders or other creditors.

Tax on companies that pay interest to creditors.

To report to auditor general.

That the eleventh section of the act approved May first, eighteen hundred sixty-eight, entitled "An Act to revise, amend and consolidate the several laws taxing corporations, brokers and bankers," is hereby repealed, said repeal to date from and after the first day of July next, saving, however, to the commonwealth the right to collect any taxes accruing under said section prior to the date of repeal aforesaid.

Eleventh section of act of May 1, 1868, repealed.

APPROVED—The 21st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 24.

An Act

Regulating the sale of lumber upon the Ohio river and its tributaries within this state.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act it shall be lawful for all persons having timber, boards or other lumber upon the Ohio river, or any of its tributaries, in this state, to sell the same under any measurement they may agree upon, or under measurements which may be made by any person or persons whom they and their vendees, under contract, may select, any local law, usage or ordinance to the contrary notwithstanding: *Provided,* That square timber shall be measured with the usual five inch hook, unless the parties shall otherwise contract.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 25.

An Act

Authorizing the supreme court of Pennsylvania and the various courts in and for the city and county of Philadelphia, to appoint stenographers as commissioners to administer oaths and take depositions.

SECTION 1. *Be it enacted, &c.,* That the judges of the supreme court of Pennsylvania, and the judges of the district court, court of common pleas, orphans' court and register's court, and the judges of the court of oyer and terminer and quarter sessions of the peace, for the city and county of Philadelphia, Pennsylvania, be and the same are hereby authorized and empowered to appoint one or more stenographers, as commissioners to administer oaths and take depositions to be read in the trial of causes in the said courts, and upon motions, rules, petitions and other matters that may be brought before the said courts: *Provided,* That the said commissioner or commissioners so appointed as aforesaid, shall be duly sworn by the president judge of the respective courts, to make true and faithful reports of the testimony taken before them as such commissioners: *And provided further,* That the judges of the said courts shall not appoint any stenographer as a commissioner under this act, who shall not produce a certificate, signed by at least ten members of the Philadelphia bar, in good standing, that said applicant for appointment is duly qualified to perform the duties of said office.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 26.

An Act

To further provide for the enforcement of decrees in the orphans' court.

SECTION 1. *Be it enacted, &c.*, That wherever any person against whom a decree for the payment of money has been made by the orphan's court of any county, is possessed of or entitled to any stock, deposits or debts due him, or to any legacy or interest in the estate of a decedent, the same may be levied on or attached in satisfaction of such decree, by the same process and in the same manner as is provided by the act of June sixteen, eighteen hundred and thirty-six, entitled "An Act relating to executions," and by the tenth section of the act of April thirteen, Anno Domino, eighteen hundred and forty-three, entitled "An Act to convey certain real estate and for other purposes;" a writ of attachment for said purpose may be allowed by said court or any judge thereof, as writs of *fiery facias* in said court are now allowed, and may be served out of the county in which the same may be issued, but service on the party against whom such decree was made, shall not be required if he be not found in said county.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 27.

A Further Supplement

To an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, Anno Domini, one thousand eight hundred and sixty-three, extending the provisions of the same to the building or erections of piers for wharves, bridges, et cetera, and for other submarine operations.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act relating to corporations for mechanical, mining and quarrying purposes, approved the eighteenth day of July, one thousand eight hundred and sixty-three, and of the supplements thereto, are hereby extended to and shall include the building or erection of piers for wharves, bridges, et cetera, under water and for other submarine operations.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 28.

An Act

To provide for a permanent centennial exposition building for the people of the commonwealth, in the city of Philadelphia.

SECTION 1. *Be it enacted &c.*, That the sum of one million dollars, be and the same is hereby appropriated for the erection of a permanent centennial exposition building for the people of this commonwealth, and for the use of the centennial anniversary of American independence, under the direction of the United States centennial board of finance, incorporated by act of congress, to be paid, however, only as hereinafter provided. No larger sum than shall be received into the state treasury on account of the centennial anniversary fund hereinafter provided for, shall be paid by the state treasurer on account of the permanent centennial exposition building, during the present year, and not exceeding three hundred thousand dollars, shall be paid of the amount hereby appropriated during the year Anno Domini one thousand eight hundred and seventy-four, and not more than three hundred thousand dollars during the year Anno Domini one thousand eight hundred and seventy-five, and the residue of one million dollars shall be paid on or before the fourth day of July, Anno Domini one thousand eight hundred and seventy-six: *Provided*, That the moneys herein appropriated, are in no event to be drawn from or out of the revenue of the commonwealth, which, under the constitution and laws of the state, are set apart for payment of the state debt; and if, from any cause, the revenue especially provided as a centennial anniversary fund, by the fifth section of this act, shall be insufficient to provide the whole moneys hereinbefore appropriated, no more money than the sum of two hundred and fifty thousand dollars shall be paid from the state treasury to the purposes aforesaid.

SECTION 2. Before any part of the money hereby appropriated shall be paid, satisfactory evidence shall be furnished to the state centennial supervisors hereinafter named, that at least one million dollars of bona fide responsible private subscriptions shall have been made, within the city of Philadelphia, to the capital stock of the said United States centennial board of finance, which shall be officially certified to the governor by the said supervisors and a sum not less than five hundred thousand dollars shall have been appropriated by the municipal authorities of the city of Philadelphia, to be applied to the erection of the permanent centennial exposition building hereinafter provided for, and a contract shall have been executed by the said centennial board of finance, and the centennial board of finance incorporated by act of congress, with the state centennial supervisors hereinafter named, the commissioners of Fairmount Park, and the representatives

\$1,000,000 appropriated for erection of building.

How to be paid.

Not to be drawn from revenue set apart to pay state debt.

Not more than \$250,000 to be paid in certain case.

What required before money appropriated to shall be paid.

of the city of Philadelphia, as the authorities of said city shall appoint for the purpose, stipulating that a permanent fire-proof building shall be erected in Fairmount Park, as part of the centennial exposition buildings, to cost not less than one million five hundred thousand dollars, which building shall remain in Fairmount Park perpetually, as the property of the people of this commonwealth, for the preservation and exhibition of national and state relics and works of art, industry, mechanicism and products of the soil, mines, et cetera, of this state, and that it shall be kept open perpetually after the year Anno Domini one thousand eight hundred and seventy-six, for the improvement and enjoyment of the people of this commonwealth under such regulations as the Fairmount Park commissioners and the state centennial supervisors, and the proper representatives of the city of Philadelphia, shall from time to time prescribe; but such regulations shall at all times afford equal facilities and privileges to all the people of this commonwealth without regard to locality, condition or race, which contract shall be approved by the governor of the state before it shall be deemed valid; after the centennial anniversary exposition shall have closed, the said park commissioners and state supervisors, and the proper representatives of the city of Philadelphia, may admit into said building the works of art, products of industry, et cetera, from any other state or government, under such regulations as may be deemed just and proper, but there shall be no discrimination between the several states of this union nor between the governments of the world.

Works of art may be admitted into building after close of exhibition.

SECTION 3. Alexander Henry, J. Gillingham Fell and John O. James, of the city of Philadelphia, William M. Lyon and John H. Shoenberger, of the county of Allegheny, George R. Messersmith, of Franklin county, William Bigler, of the county of Clearfield, Ario Pardee, Sr., of the county of Luzerne, and John H. Ewing, of the county of Washington, be and they are hereby appointed state centennial supervisors, who shall, in addition to the powers and duties hereinbefore prescribed, formally approve the design, plans and specifications for said permanent centennial exposition building, and report the same, with their approval, to the governor; and they shall formally approve any contract or contracts for the erection of said building, and for materials for the same, and also report such contract or contracts, with their approval, to the governor; and no part of the money hereby appropriated shall be paid until such design, plans, specifications and contract or contracts shall have been officially approved by said supervisors, and so certified to and approved by the governor. When said supervisors shall certify to the governor that the labor done and materials furnished for said building amount to the sum of one hundred thousand dollars, the governor shall draw his warrant on the state treasurer in favor of the treasurer of the centennial board of finance for fifty thousand dollars, and thereafter whenever the said supervisors shall certify to the governor that the additional work done and materials furnished amount to the sum of one hundred thousand dollars, and that the money previously paid has been fully and

State centennial supervisors appointed.

Their duties.

No money to be paid until plans, &c., are approved.

When and for what amounts governor to draw warrants on state treasurer.

properly applied, he shall draw his warrant in like manner for fifty thousand dollars, if so much shall remain unpaid, in accordance with the stipulation for the annual payments contained in the first section of this act; and when said supervisors shall certify that said centennial exposition building is complete, that the full sum of one million five hundred thousand dollars has been expended on the same, and that the previous payments have been fully and properly applied, the residue of one million dollars shall be paid as hereinbefore directed, but no larger amount shall be paid during any one year than is provided in the first section of this act.

President and secretary of board of supervisors.

Their duties.

Vacancies.

Supervisors may be removed.

United States centennial commission to control exposition building during anniversary.

Street passenger railway companies, Philadelphia, to make quarterly returns of gross receipts.

To pay tax.

Tax to be placed to credit of centennial anniversary fund.

Moneys to be paid from said fund.

When tax to cease.

Companies accepting act, to be exempt from penalties for violating charters.

SECTION 4. Said board of state centennial supervisors shall elect one of their number as president, and shall appoint a secretary, who shall keep a record of the proceedings of the board, and file a complete duplicate of the same with the governor at the close of each year; any vacancy occurring in the board shall be filled by the said board, but no person shall be chosen to fill any such vacancy without receiving five votes; and any of said supervisors may be removed at any time by the governor on address of a majority of both branches of the legislature; said board shall not exercise any authority or control over the centennial exposition building during the centennial anniversary exposition, but said permanent building shall, during such exposition, be under the same control and direction of the United States centennial commission as the other buildings erected by said centennial board of finance.

SECTION 5. That in order to provide revenue to enable the state to meet the appropriation hereinbefore made, on or before the first day of July, Anno Domini one thousand eight hundred and seventy-three, all street passenger railway companies now incorporated in the city of Philadelphia shall make return to the state treasurer, under oath of the proper officers, stating the gross receipts of each of said companies from the passage of this act until said return is made, and like quarterly returns shall be made by said companies thereafter until the first day of April, Anno Domini one thousand eight hundred and seventy-seven, inclusive; and with each report there shall be paid by said street passenger railway companies to the state treasurer three per centum of such gross receipts, which revenue shall be placed by the state treasurer to the credit of the centennial anniversary fund; and all moneys paid by said state treasurer, on account of the appropriations hereinbefore made shall be paid out of said centennial anniversary fund until the same is exhausted, and the residue, if any required to be paid during any one year, shall be paid out of any moneys in the treasury not otherwise appropriated. On the first day of April, Anno Domini one thousand eight hundred and seventy-seven, the tax upon the gross receipts of said railroad companies shall cease and determine. Any of said street passenger railway companies which shall, within thirty days after the passage of this act, file with the state treasurer an official acceptance of its provisions, shall thereupon, each and every of them, be released from any penalty or penalties to which they or any of them might be

liable under any proceeding in law or equity for any violation of the provisions of their charters, respectively, prior to the passage of this act; and the faith of the state is hereby pledged to such accepting companies that the legal rate of fares said companies are now authorized to collect shall not be reduced by legislative enactment before the first day of April, Anno Domini one thousand eight hundred and seventy-seven. Any street passenger railway companies incorporated after the passage of this act shall also report their gross receipts and pay the tax on the same from and after they commence to carry passengers, as hereinbefore provided.

Legislature not to reduce fares of such companies.

Companies hereafter incorporated, to report receipts and pay tax.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 29.

An Act

Repealing the third section of the act, approved June second, one thousand eight hundred and seventy one, entitled "An Act for the further regulation of boroughs."

SECTION 1. *Be it enacted, &c.*, That so much of the third section of the act, approved the second day of June, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act for the further regulation of boroughs," as authorizes each voter to bestow his votes for town council singly upon six candidates, or cumulate them upon a less number, be and the same is hereby repealed.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 30.

An Act

To an act, entitled "An Act prescribing the fees for the office of the secretary of the commonwealth," approved April twenty-seventh, Anno Domini one thousand eight hundred and seventy-one, providing for the increase of certain fees therein specified.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the fees of the secretary of the commonwealth, to be received for the use of the commonwealth for the services hereinafter recited, shall be as follows:

Filing description of bottles under act of assembly, five dollars.

Letters patent or instrument incorporating any company or association, twenty-five dollars.

Filing acceptance of provisions of act of assembly, five dollars.

Filing evidence of change of corporate name, five dollars.

Filing papers creating corporation under general or special act of assembly, twenty-five dollars.

Filing evidence of increase or decrease of capital stock and recording same, twenty-five dollars.

Filing articles of association for railroad companies and recording same, fifty dollars.

Filing agreements of merger and consolidation, fifty dollars.

Filing amendments to or confirmation of charter, ten dollars:

And so much of the act to which this is a supplement, as conflicts herewith, shall be and the same is hereby repealed.

APPROVED—The 28th day of March, A. D., 1873.

J. F. HARTRANFT.

No. 31.

An Act

To organize the State Hospital for the insane at Danville, and provide for the government and management of the same.

Trustees to be appointed.

To be a corporation.

Their duties and powers.

Physician.

SECTION 1. *Be it enacted, &c.,* That the governor shall nominate, and by and with the advice and consent of the Senate, appoint nine persons to be trustees of the said institution, who shall be a body politic or corporate, by the name and style of the Trustees of the State Hospital for the insane at Danville, Pennsylvania, and shall manage and direct the concerns of the institution and make all necessary by-laws and regulations, not inconsistent with the constitution and laws of the commonwealth, and shall have power to receive, hold, dispose of and convey any real and personal property conveyed to them by gift, devise or otherwise, for the use of said institution, and shall serve without compensation; of those first appointed, three shall serve for one year, three for two years and three for three years, and at the expiration of the respective periods, the vacancies shall be filled by appointment for three years; and should any vacancy occur, by death or resignation, of any trustee, such vacancy shall be filled by appointment for the unexpired term of such trustee; the said trustees shall have charge of the general interests of the institution; they shall appoint the superintendent who shall be a skillful physician, familiar with the treatment of the insane, subject

to removal or re-election no oftener than in periods of ten years, except by infidelity to the trust reposed in him or for incompetency ; said physician shall always reside in the hospital, shall be a married man, and his family shall reside with him ; the trustees shall also appoint a treasurer, who shall give bonds to the commonwealth for the faithful discharge of his duties ; they shall determine his compensation for services, also the salaries of the other officers and assistants who may be necessary for the just and economical administration of the affairs of said hospital.

Treasurer.

SECTION 2. The superintending physician shall appoint and exercise entire control over all subordinate officers and assistants in the institution, and shall have entire direction of the duties of the same.

Powers of superintending physician.

SECTION 3. The said trustees, and their successors in office, shall have power to take and hold in trust, for the use and benefit of said hospital, any grant or devise of land, and any donation or bequest of money or other personal property, to be applied to the maintenance of insane persons in or to the general use of the hospital.

Power to hold property.

SECTION 4. That the several sections of the act of assembly, approved April fourteenth, one thousand eight hundred and forty-five, from section eight to section fifteen, inclusive, also the several sections of the act of assembly, approved April eighth, one thousand eight hundred and sixty-one, from section one to section five, inclusive, are hereby extended and made applicable to the State Hospital for the insane at Danville.

Certain provisions applicable to hospital.

SECTION 5. On the application of the friends or relatives of any insane person now or who may hereafter be confined in said hospital, to the court of common pleas of Montour county, or to the president judge of said court in vacation, it shall be lawful for said court or judge, where the same may be done with safety to the community, to deliver over to such friends or relatives the person so confined ; but before so delivering over such insane person said court or judge may require sufficient security to be given, in the name of the commonwealth, that such insane person shall do no injury to the person or property of any one when at large, to continue during such term of time as the court or judge may direct.

When insane persons to be delivered to their relatives.

Security may be required.

SECTION 6. That the several insane persons sent to the Pennsylvania State Lunatic Hospital at Harrisburg, by the order of the court of any county of the Northern district named in the act establishing the State Hospital for the insane at Danville, may be removed to said hospital at Danville, by the authorities of the county from which they were sent to the hospital at Harrisburg, and the original order directing said commitment shall have the like force and effect as to their commitment and detention in the said hospital at Danville.

Certain of the insane in hospital at Harrisburg, may be removed to.

SECTION 7. The trustees shall make settlement with the commissioners appointed to build the said hospital at Danville, and after said settlement the duties of said commissioners shall cease.

Trustees to settle with building commissioners.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 32.

An Act

To confirm certain surveys of land returned and accepted in the surveyor general's office.

SECTION 1. *Be it enacted, &c.*, That all the surveys of land heretofore returned and accepted in the surveyor general's office, are hereby declared to be valid and effectual, to all intents and purposes, notwithstanding the said surveys may have been actually made on the ground before the warrants on which they were returned had been placed in the hands of the deputy or county surveyor: *Provided*, That this act shall not be so construed as to alter or impair the existing rights of third persons.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 33.

An Act

To the grant the consent of the state of Pennsylvania to the acquisition, by the United States, of certain lands, for the purpose of the erection of a court house and post-office building at Pittsburg, and ceding jurisdiction over the same.

Consent of state
given to acquisition
of land by United
States.

SECTION 1. *Be it enacted, &c.*, That the consent of the state of Pennsylvania is hereby given to the acquisition, by the United States, by purchase or by condemnation in the same manner as land is now taken for public purposes under any general or special statute for railroad or other purposes, (and should the property which the government desire to acquire, have been dedicated to a religious or charitable use, the proceeds of such property shall be invested and used to and for the same use and purpose to which the property taken was originally dedicated or conveyed,) of one or more pieces of land situated in the city of Pittsburg, on which to erect and court house, post-office and other government buildings and appurtenances; and the said United States shall have, hold, use, occupy and own the said land or lands when purchased, and exercise jurisdiction and control over the same, and every part thereof, subject to the restrictions hereinafter mentioned.

SECTION 2. In case the United States shall decide to resort to condemnation in acquiring land for the purposes specified in the first section of this act, the said United States shall, in all respects, be governed by the laws of this state, regulating the appropriation of private property for public use, and said laws are hereby made applicable: *Provided*, That the United States may pay the costs and refuse to take the land, if, in their judgment, the compensation assessed therefor is excessive.

How United States to be governed in case condemnation is resorted to.

SECTION 3. In case there shall be any street or alley, not exceeding thirty-five feet in width, running through any block or tract of land so purchased or acquired by the United States, for the purposes specified in this act, all that portion of such street or alley within such block or tract of land, shall, upon the acquisition of the block or tract of land by the United States, be and the same is hereby vacated and closed; and the lands or tract of land abutting upon any such street or alley, shall extend to the centre line thereof, and vest in the United States and become the property thereof, with full right, power and authority to use, occupy and enjoy the same as its own property, in fee, to the same extent as if the same had never been used or occupied as a street or alley, and this act shall apply to the said portion of such street or alley; so vacated, to the same extent as to the block or tract of land so purchased or condemned.

Portions of streets running through land acquired, to be vacated.

Title to vest in United States.

SECTION 4. The jurisdiction of the state of Pennsylvania, in and over the said land or lands, when purchased by the United States, shall be and the same is hereby ceded to the United States; but the jurisdiction hereby ceded shall continue no longer than the said United States shall own the said land or lands.

Jurisdiction over land, ceded to United States.

SECTION 5. The said consent is given, and the said jurisdiction ceded upon the express condition, that the state of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land or lands, so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the state of Pennsylvania, against any person or persons charged with crimes or misdemeanors committed within said state, including said lands, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

Condition upon which consent is given and jurisdiction ceded.

SECTION 6. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to said land or lands, as herein provided; and so long as the said land or lands shall remain the property of the United States, when required as aforesaid, and no longer, the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied under the authority of this state.

When jurisdiction ceded to vest.

Land to be exonerated from taxes.

SECTION 7. That any malicious, wilful, reckless or voluntary injury to or mutilation of the grounds, buildings or appurtenances, shall subject the offender or offenders to a fine of not less than twenty dollars, to which may be added for an aggravated offence, imprisonment not exceeding six months

Penalties for injuries to grounds, &c.

in the county jail or workhouse, to be prosecuted before any court of competent jurisdiction.

SECTION 8. This act shall take effect immediately.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 34.

An Act

Defining what days shall constitute legal holidays.

Certain days to be regarded as legal holidays.

SECTION 1. *Be it enacted, &c.,* That the following days namely: First day of January, the twenty second day of February, the fourth day of July, the twenty-fifth day of December, and any day appointed or recommended by the governor of this state or the president of the United States, as a day of fasting or thanksgiving, or for the general cessation of business, shall be regarded as legal holidays, and shall, for all purposes whatsoever, as regards the presenting for payment or acceptance, and of the protesting and giving notice of the dishonor of bills of exchange, bank checks, drafts and promissory notes, made after the passage of this act, be treated and considered as is the first day of the week commonly called Sunday.

To be treated as Sundays as to protests, &c.

When such days occur on Sunday, the following Monday to be observed.

When notes, &c., falling due on, to be payable.

SECTION 2. Whenever the first day of January, twenty-second day of February, the fourth day of July, or the twenty-fifth day of December, shall, either of them, occur on Sunday, the following day, Monday, shall be deemed and declared a public holiday; and all bills of exchange, bank checks, drafts or promissory notes falling due on either of the Mondays, so observed as a holiday, shall be due and payable on the Saturday preceding such holidays; and such Mondays, so observed, shall, for all purposes whatever, as regards the presenting for payment or acceptance, and of the protesting and giving notice of the dishonor of bills of exchange, bank checks, drafts and promissory notes, made after the passage of this act, be treated and considered as is the first day of the week commonly called Sunday.

Not to prevent making or demand of notes, &c., on day when due.

SECTION 3. Nothing in this act shall prevent the making or demand of any promissory note, draft, checks and bills of exchange, falling due on said Mondays, thus observed as holidays, on the day upon which such bills of exchange, drafts, checks and promissory notes shall be due.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 35.

An Act

Extending the provisions of the fourteenth section of an act, entitled "An Act relating to orphans' courts, approved March twenty-fourth, one thousand eight hundred and thirty-two, to certain bonds issued by the city of Oil City."

SECTION 1. *Be it enacted, &c.*, That the provisions of the fourteenth section of an act, entitled "An Act relating to orphans' courts," approved March twenty-ninth, one thousand eight hundred and thirty-two, shall apply to the bonds of the city of Oil City, issued under the provisions of an act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act authorizing the city of Oil City to provide water works and gas works and to borrow money," approved the fourteenth day of March, Anno Domini, one thousand eight hundred and seventy-two.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 36.

A Further Supplement

To an act relating to orphan's courts, approved March twenty-fourth, one thousand eight hundred and thirty-two.

SECTION 1. *Be it enacted, &c.*, That the provisions of the fourteenth section of an act, entitled "An Act relating to orphans' courts," approved March twenty-ninth, one thousand eight hundred and thirty-two, be and they are hereby extended, so as to include the bonds which the Pennsylvania railroad company may issue from time to time, under and by authority of an act, entitled "A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of its capital stock, the issue of bonds, and the securing of the same by mortgage," approved the eighteenth day of February, Anno Domini, one thousand eight hundred and seventy-three.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 37.

A Supplement

To the act of June sixteenth one thousand eight hundred and thirty-six, entitled "An Act relating to executions."

SECTION 1. *Be it enacted, &c.*, That the stay of execution upon judgments allowed by the third section of the act of June sixteenth, Anno Domini one thousand eight hundred and thirty-six, entitled "An Act relating to executions," be computed from the return day of the writ by which such action was commenced.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 38.

An Act

To provide for the better security of life and property from the dangers of coal and petroleum oils.

Test of burning
fluids kept for sale.

SECTION 1. *Be it enacted, &c.*, That no refined petroleum, kerosene, naphtha, benzole, gasoline, or any burning fluid, be they designated by whatsoever name, the fire test of which shall be less than one hundred and ten degrees Fahrenheit, shall be sold or offered for sale as an illuminator, for consumption within the limits of the commonwealth of Pennsylvania.

How to be deter-
mined.

SECTION 2. The said fire test shall be determined by an inspector appointed under the provisions of this act, who shall use Tagliabuies, or such other well defined instrument as may be used by the inspectors of export oil according to the following formula: Heat with alcohol small flame; when thermometer indicates ninety degrees remove lamp; at ninety-five try for flash with small bead of fire on end of string held within a quarter of an inch of surface of oil; replace lamp and work oil up gradually from this point until the burning point is reached, removing lamp every four degrees, and allowing oil to run up three degrees before replacing lamp, flashing the oil each time just before lamp is replaced, until result is attained.

Inspectors to be
appointed.

SECTION 3. The said inspectors shall be appointed by the governor, one for each county in the commonwealth wherein said burning oils or fluids, as before mentioned, are manu-

factured: *Provided*, That in counties of this commonwealth, Proviso. wherein the office of inspector of spirits and gauger of oils now exists, that officer may, if appointed, perform the duties of inspector of oils and fluids, and shall give bonds, and be subject to all the conditions and penalties as provided by this act. The said inspectors shall hold their office for the Terms of office. term of three years, unless sooner removed by the governor for incompetency, or found guilty under the provisions of this act; vacancies in said office to be filled by the governor. Vacancies. The said inspectors shall be authorized to appoint such Clerks and deputies. clerks or deputies as they may find requisite for the perfect carrying out of the duties as specified under this act. The said clerks or deputies shall be paid out of the fees of the office by the inspector of the county wherein the service is performed. All clerks and deputies are held amenable by this act, and subject to the same penalties for violating any of its provisions as are provided in this act for the punishment of the appointed inspectors. Each inspector, deputy or clerk, Inspectors, &c., to be sworn. after receiving his appointment, and prior to entering upon the duties of the office for which he is appointed, must and shall file in the office of the prothonotary of the court of common pleas, an oath or affirmation that he will well and truly perform the duties of his office, and carry out the provisions of this act; and said inspectors shall also file a bond, Inspectors to give security. with one or more approved sureties, in style similar to that of the sheriff of the county, in the penal sum of ten thousand dollars, for the faithful performance of the duties of said inspector's office, as provided in this act. The said inspector Fees. is hereby empowered to receive and collect from the manufacturer or owner, the sum of twenty cents per package for each package inspected in any lot under ten; ten cents per package for each package inspected in any lot not more than fifty; seven cents per package for each package inspected in any lot or all lots over fifty; and one dollar for each car of bulk refined oil; and in case any person shall call upon said inspector, to inspect one package of refined oil, he shall charge said person for such inspection fifty (50) cents; and when the inspector of spirits and gauger of oils of any county in the commonwealth shall become inspector of refined oils and fluids, under the provisions of this act, the fees which he is authorized to charge shall include and be in full of his fees for gauging and inspection. The said inspector shall provide, To provide stencils at his own cost, stencils, for the purpose of branding packages, to read thus: State of Pennsylvania, fire test, one hundred and ten degrees, with name of inspector. *Provided*, When oil so inspected shall stand higher test, the inspector shall designate such actual test by his brand. The said inspector, or his clerks or deputies, shall and are hereby empowered Powers and duties. to enter any place or building, where oils or fluids, as before designated in this act, are manufactured, kept in store, for sale or consumption in this commonwealth, and in such counties, wherein oil is sold and not manufactured, for which no inspector has been appointed, or in any other place within the limits of this state, wherein he has reasons for believing that oil is being kept or sold contrary to the provisions

of this act, or for the purpose of carrying out the true intent and meaning of this act. Any inspector shall have the privilege to re-inspect, and is hereby empowered to inspect any oil, as hereinbefore designated in section first, which he may by any reason believe to be under fire test, and if so found by him to be under fire test and falsely branded, he shall prosecute, or cause to be prosecuted, the offender as herein authorized in section four of this act. No charge shall be made for re-inspection.

Penalties for violating act.

How to be appropriated.

Liability for damages.

When oils subject to seizure and sale.

How proceeds of sales to be applied.

Penalties on inspectors and deputies for violating act.

How to be appropriated.

How packages for export to be branded.

Certain fluids to be branded "benzine."

Not to be kept for sale or used in lamps.

Penalties.

SECTION 4. Any person violating any of the provisions of the act, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be subject to a fine of not less than two hundred and fifty (250) dollars, nor more than five hundred (500) dollars, or imprisonment not less than one year, or both, at the discretion of the court; one-half of said fine to go to the prosecutor and one-half to the school fund in the district, where such misdemeanor may have been committed. Also, if any person shall sustain damage to his property or injury to his person by reason of a violation of any of the provisions of this act, by another person, the person guilty of said violation shall be liable to the person injured for all damages sustained thereby.

SECTION 5. All the oils or fluids subject to inspection under this act that may be found in the hands of those who sell in less quantities than one barrel, with a fraudulent brand or mark of inspection, or found to have been adulterated, or not coming up to the fire test, as the mark of inspection would indicate, shall be subject to seizure by the said inspector, and the same shall, after ten days public notice, be sold, solely for re-distillation; the proceeds of such sale, after deducting the necessary expenses of sale and seizure, shall, one-half, be given to the school fund wherever the seizure was made, and one-half to the informer.

SECTION 6. Any inspector or deputy appointed under this act, who shall violate any of its provisions by neglecting to inspect upon request, or shall falsely brand any oil or fluid, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than two hundred and fifty dollars, or more than one thousand dollars, and be subject to imprisonment for not less than three months or more than one year, or both, subject to the discretion of the court; one-half the fine to go to the informer and one-half to the school fund of the district wherein the offence is committed.

SECTION 7. That packages containing oil manufactured for export, shall be branded with a stencil by the manufacturer, with the words, "for export." All benzine, naphtha, or any hydro-carbons created in the manufacture of refined oil from crude petroleum, or otherwise manufactured, shall be inspected and branded "benzine," and shall not be kept for sale or used in any way for giving light to be burned in lamps; and this act shall not be construed to prohibit their use in making gas to be conveyed through pipes to burners similar to gas in city gas works, to be used for the same purpose; and further, the penalties for violating this section, shall be the same as those applied to the use of refined oil below legal test.

SECTION 8. Nothing contained in this act shall be construed or held to apply in any manner to any kind of oil or fluid manufactured for export from this State, or in transit from one state to another through the limits of this commonwealth.

Not to apply to oils manufactured for export, &c.

SECTION 9. Any person or persons who shall sell or cause to be sold, any barrel or package, or who shall refill the same, without first removing the brand of the inspector, shall be liable to a fine of three hundred dollars, for every barrel or package sold, or delivered, or re-filled; said fines shall be recoverable as other fines of like character are recoverable by law; and one-half shall go to the informer, and one-half to the school fund of the district in which the offence was committed.

Penalty for selling or re-filling barrels without removing brands.

How to be appropriated.

SECTION 10. The provisions of this act shall take effect and go in force, on the first day of May, Anno Domini, one thousand eight hundred and seventy-three.

When act to take effect.

SECTION 11. All acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

Repeal.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 39.

An Act

Relating to the Twenty-ninth judicial district.

SECTION 1. *Be it enacted, &c.*, That so much of an act of assembly, entitled "An Act repealing an act to create an additional judicial district, to be called the Twenty-ninth judicial district, approved the twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-eight, and the several supplements thereto; also transferring Lycoming county to the Fourth judicial district, and transferring Elk county to the Sixth judicial district, and regulating the terms of the courts of Lycoming county," approved the sixteenth day of March, Anno Domini, one thousand eight hundred and sixty-nine, as relates to the Twenty-ninth judicial district or the courts of the county of Lycoming, be and the same is hereby repealed.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 40.

An Act

To repeal the proviso of an act giving power to the courts of common pleas of this commonwealth to authorize school directors to borrow money.

SECTION 1. *Be it enacted, &c.,* That the proviso to the act giving the courts of common pleas of this commonwealth power to authorize school directors to borrow money, which requires them to produce to said court the consent, in writing, of a majority in number of the qualified electors of the district for whose use the money is wanted, be and the same is hereby repealed.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 41.

An Act

To repeal all laws exempting real estate from taxation.

SECTION 1. *Be it enacted, &c.,* That all real estate within this commonwealth shall be liable to taxation for all such purposes as now is or hereafter may be provided by general laws, excepting only therefrom the classes of property specifically exempted from taxation, by the twenty-ninth section of the act of this general assembly, entitled "An Act to authorize the committee of Michael Fox, a lunatic, to sell and convey certain real estate, and for other purposes," approved April sixteenth, one thousand eight hundred and thirty-eight, as construed by the third section of the act of this general assembly, entitled "An Act to authorize the administrators of Henry Mineum, late of Crawford county, deceased, to sell and convey certain real estate, and for other purposes," approved July second, one thousand eight hundred and thirty-nine, except that the quantity of land thereby exempted shall be and is hereby increased to ten acres instead of five, as therein named; also exempting from taxation all parsonages owned by any church or religious society, with the lands attached thereto, not exceeding five acres; also excepting and exempting from such taxation all burial lots exempted by the provisions of the act of April fifth, one thousand eight hundred and fifty-nine, entitled "An Act relative to incorporated cemetery companies," and the lands and premises of all cemetery

companies where such property is held in trust for the sole purpose of improving said lands and premises, and whose revenues, of whatever kind, are devoted to that object, and in no way inure to the benefit or profit of the corporators or any of them; and also excepting and exempting from such taxation all lunatic asylums, almshouses, poorhouses, houses of refuge, penitentiaries and asylums, schools and hospitals, supported by the appropriations annually made thereto by this commonwealth, together with the lands attached to the same; and also excepting and exempting from such taxation all charitable institutions founded by charitable gifts or otherwise, the chief revenues for the support of which are derived from voluntary contributions, together with the lands attached to the same; and all laws or parts of laws inconsistent with the provisions of this statute be and the same are hereby repealed: *Provided*, That nothing in this act contained shall be construed as repealing the fourth section of the act, entitled 'An Act to amend the revenue laws of this commonwealth,' approved February twenty-third, one thousand eight hundred and sixty-six; *And provided further*, That no burial lots sold to individuals for burial of the dead shall be liable to levy and sale for any taxes whatsoever.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

APPROVED—The 3rd day of April, A. D. 1873.
J. F. HARTRANFT.

No. 42.

An Act

Supplementary to an act relating to executions, passed the sixteenth of June, eighteen hundred and thirty-six.

SECTION 1. *Be it enacted, &c.* That whenever any judgment has been or hereafter shall be obtained against one or more of the members of a partnership, upon any individual indebtedness of such defendant or defendants, any such creditor may have execution, *fiери facias*, issued from the court where such judgment is entered; *Provided*, The same be entered in the county where the chief office or place of business of the said partnership is or was last located, which shall command the sheriff or other officer to levy the sum of said judgment, with interest and costs of suit, upon the interest of the defendant or defendants in said writ, of any personal, mixed or real property, rights, claims and credits in such partnership, and thereupon proceed and sell the same; and the purchaser at such sale shall thereupon have a right to compel a settlement of the partnership accounts of such partnerships, by proceeding in equity, and to determine and receive the interest of said judgment debtor or debtors in the partnership property, rights, claims and credits aforesaid; in case of judgment.

ment obtained or entered of record in a county, other than that wherein the chief office or place of business of said partnership is or was located, the plaintiff may issue a testatum writ of *feri facias*, commanding the sheriff or other officer to proceed as in other cases where such writ may issue, and levy the sum of said judgment, with interest and cost of suit, in the same way and with the same force and effect as herein provided in case of sale under execution of *feri facias*: *Provided*, That such rights, claims and credits shall be proceeded against and sold in the manner provided in cases for the sale of personal property, except where real estate is taken in execution, in which case the same shall be advertised three weeks, in manner as is provided by law: *And also provided further*, That this act shall not apply to any suit or suits at law or in equity now pending in any of the courts of this commonwealth, nor in anywise affect, enlarge, restrain or impair the rights of either or any of the parties thereto; and that this act shall not apply or be extended to or embrace the sale of any property, real, personal or mixed, made prior to the passage of this act, nor empower the purchaser or purchasers at any such sale made prior to the passage of this act, to compel a settlement of the partnership account by proceeding in equity: *Provided*, Upon any judgment now entered and sales hereafter made, upon any execution hereafter issued, same shall apply.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 43.

A Further Supplement

To an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July eighteenth, Anno Domini one thousand eight hundred and sixty-three, extending the provisions thereof to dealers in petroleum.

SECTION 1. *Be it enacted, &c.*, That the provisions of the act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three, and the supplement thereto, so far as applicable, be and the same are hereby extended to, and shall include the business of buying, producing, storing, refining, transporting, selling and dealing generally in petroleum; and such corporations may be formed to operate in any or all these departments, as shall be indicated in their respective articles of association.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 44.

An Act

Relative to criminal procedure, and to provide for payment of defendant's costs.

SECTION 1. *Be it enacted, &c.,* That in all prosecutions where the petit jury shall acquit the defendant, and shall determine by their verdict that the costs shall be apportioned between the prosecutor and the defendant, the defendant's bill for his subpoenas, serving the same and attendance of his material and necessary witnesses, shall be included in the costs.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 45.

An Act

For the further protection of cemeteries in the state of Pennsylvania.

SECTION 1. *Be it enacted, &c.,* That it shall be lawful for the trustees, directors or other officers of all organized cemeteries within this state, to appoint as many day and night watchmen of their grounds as they may deem expedient; and such watchmen, and also all of their superintendents, gardeners and agents, stationed on said grounds, are hereby authorized to take and subscribe before any mayor or justice of the peace in the township where such cemeteries may be situated, an oath of office, similar to the oath required by law of constables; and upon the taking of such oath, such watchmen, superintendents, gardeners and agents shall have, exercise and possess all the powers of police officers within and adjacent to said cemetery grounds; and they, and each of them, shall have power to arrest, on view, all persons engaged in violating the laws of this state in reference to the protection, care and preservation of cemeteries, and of the trees, shrubbery, structures and adornments therein, and to bring such persons so offending before a mayor or justice of the peace within such township, to be dealt with according to law.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 46.

An Act

To repeal all laws exempting the indebtedness of any counties, cities, boroughs or other incorporated districts from payment of state tax.

SECTION 1. *Be it enacted, &c.*, That all laws and acts of assembly, exempting the loans, bonds or other evidences of indebtedness of, or issued by any county, city, borough or incorporated district of the commonwealth, from the payment of taxes for the use of the commonwealth, be and the same are hereby repealed, so far as provides for such exemption; and all such loans, bonds or other evidences of indebtedness heretofore or hereafter issued or existing, shall be liable for the payment of the taxes now or hereafter imposed by law for the use of the commonwealth upon public loans or other moneys bearing interest: *Provided*, That this act shall not apply to any bonds negotiated into the hands of innocent holders.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 47.

A Supplement

To an act to create a board of public charities, approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine.

Commissioners neglecting to discharge duties for six months, to be deemed to have resigned.

SECTION 1. *Be it enacted, &c.*, That any of the commissioners appointed under the provisions of an act, entitled "An Act to create a board of public charities," approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine, who has heretofore or hereafter shall refuse or neglect, for the space of six months, to discharge the duties of his office, and such failure has been duly certified by the president or secretary of the board to the governor, he shall be deemed to have resigned, and the governor, by and with the advice and consent of the Senate, shall appoint a commissioner for the unexpired term of the commissioner so removed.

Governor to appoint for unexpired terms.

Two additional commissioners to be appointed.

SECTION 2. That the governor shall, by and with the advice and consent of the Senate, as soon as practicable after the passage of this act, appoint two additional commissioners, who, together with the five heretofore appointed, and the

general agent and secretary, shall constitute the board of public charities; one of those thus appointed, to hold office for the term of four years from the first day of December, Anno Domini one thousand eight hundred and seventy-two, and the other for the term of five years from the said first day of December, Anno Domini one thousand eight hundred and seventy-two: *Provided*, That the president and any two members of said board shall constitute a quorum for the transaction of business.

Terms of office.

Quorum.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 48.

An Act

To ratify and re-enact an act of the general assembly of the state of New Jersey, entitled "An Act for the protection of bridges over the river Delaware," approved February twenty-eighth, eighteen hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That all the provisions, penalties and remedies made, imposed and provided by the act of the general assembly of the state of New Jersey, entitled "An Act for the protection of bridges over the river Delaware," approved by the governor of New Jersey, February twenty-eighth, eighteen hundred and seventy-two, be and they are hereby re-enacted and made binding and obligating, with the force and effect as if herein re-enacted in word, provision and letter, and that the said act of the general assembly of New Jersey, be and the same is hereby ratified by the legislature of Pennsylvania.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT

No. 49.

A Supplement

To an act, entitled "An Act to regulate the sale of clams and oysters," approved the fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That it shall be unlawful for any person or persons, during the months of June, July and August, in each year, to bring into this commonwealth, for the sale, or to vend or sell, or to expose for sale any oys-

Oysters not to be sold during certain months.

ters ; and any person or persons so offending shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding six months, or both, at the discretion of the court.

Repeal.

SECTION 2. That section one of the act to which this is a supplement, and all parts thereof conflicting herewith, be and the same is hereby repealed.

APPROVED.—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 50.

An Act

To grant the consent of the state of Pennsylvania to the acquisition, by the United States, of certain lands, for the purpose of the erection of a court house and post office building, at Philadelphia, and ceding jurisdiction over the same.

Consent of state given to acquisition of lands by United States.

SECTION 1. *Be it enacted, &c.,* That the consent of the state of Pennsylvania is hereby given to the acquisition, by the United States, by purchase or by condemnation under the laws of this state, of one or more pieces of land situated in the city of Philadelphia, not exceeding four acres in quantity, on which to erect a court house, post office and other government buildings and appurtenances ; and the said United States shall have, hold, use, occupy and own the said land or lands, when purchased, and exercise jurisdiction and control over the same, and every part thereof, subject to the restrictions hereinafter mentioned.

How United States to be governed in case condemnation is resorted to.

SECTION 2. In case the United States shall decide to resort to condemnation in acquiring land for the purposes specified in the first section of this act, the said United States shall, in all respects, be governed by the laws of this state regulating the appropriation of private property for public use, and said laws are hereby made applicable : *Provided,* That the United States may pay the costs and refuse to take the land, if, in their judgment, the compensation assessed therefor is excessive.

Streets running through land, to be vacated.

SECTION 3. In case there shall be any street or alley, not exceeding twenty-five feet in width, running through any block or tract of land so purchased or acquired by the United States, for the purposes specified in this act, all that portion of such street or alley within such block or tract of land, shall, upon the acquisition of the block or tract of land by the United States, be and the same is hereby vacated and closed ; and the lands or tract of land abutting upon any such street or alley, shall extend to the centre line thereof, and vest

in the United States, and become the property thereof, with full right, power and authority to use, occupy and enjoy the same as its own property, in fee, to the same extent as if the same had never been used or occupied as a street or alley; and this act shall apply to the said portion of such street or alley so vacated, to the same extent as to the block or tract of land so purchased or condemned.

Title to vest in United States.

SECTION 4. The jurisdiction of the state of Pennsylvania in and over the said land or lands, when purchased by the United States, shall be and the same is hereby ceded to the United States; but the jurisdiction hereby ceded shall continue no longer than the said United States shall own the said land or lands.

Jurisdiction over land, to be ceded to United States.

SECTION 5. The said consent is given, and the said jurisdiction ceded, upon the express condition that the State of Pennsylvania shall retain concurrent jurisdiction with the United States, in and over the land or lands, so far as that all civil process, in all cases, and such criminal or other process as may issue under the laws or authority of the state of Pennsylvania, against any person or persons charged with crimes or misdemeanors, committed within said state, including said lands, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

Condition upon which consent is given and jurisdiction ceded.

SECTION 6. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to said land or lands as herein provided; and so long as the said land or lands, shall remain the property of the United States, when acquired as aforesaid, and no longer, the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied under the authority of this state.

When jurisdiction ceded to vest.

Land to be exonerated from taxes.

SECTION 7. *It is further enacted*, That any malicious, wilful, reckless or voluntary injury to, or mutilation of the grounds, buildings or appurtenances, shall subject the offender or offenders to a fine of not less than twenty dollars, to which may be added, for an aggravated offence, imprisonment not exceeding six months in the county jail or workhouse, to be prosecuted before any court of competent jurisdiction.

Penalties for injuries done to grounds, &c.

SECTION 8. This act shall take effect immediately.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 51.

A Supplement

To an act, entitled, "An Act to grant the consent of the state of Pennsylvania to the acquisition by the United States of certain lands, for the purpose of the erection of a court house and post-office building at Philadelphia, and jurisdiction over the same," providing a mode by which the title of the said lands may be vested in the United States when no agreement can be made with the owners of the same for the purchase thereof.

SECTION 1. *Be it enacted, &c.,* That if it shall so happen that the United States cannot agree with the owner or owners of any lands or other estates, real or personal, proposed to be taken as part of the premises which the United States, by the first section of the act to which this act is a supplement, are authorized to acquire at Philadelphia, for the purpose of erecting thereupon a court house, post-office and other government buildings, with the appurtenances, for the purchase thereof, it shall be lawful for the court of common pleas for the city and county of Philadelphia, on application thereto, by petition filed in behalf of the United States, to appoint seven discreet and disinterested resident freeholders of the said city, in the manner provided by the eleventh section of the act of assembly of this commonwealth, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, who, after due public notice, qualification and examination as therein directed, shall, in like manner, estimate and determine the fair value of, all and singular, the lands and other estate, real and personal, so proposed to be taken for the use of the United States as aforesaid, and shall designate the several owners thereof as far as the same can be by them reasonably ascertained; and shall report the same to the said court, and their award shall be subject to appeal, further proceedings and confirmation as provided in the act of assembly last above recited and the supplement thereto; upon confirmation of the report and payment of the sums of money so awarded to the parties severally entitled thereto, who shall have executed conveyance to the United States of their respective interest in the lands or other estates, real or personal, so taken, or in case of the disability, neglect or refusal of any person or persons interested to make such conveyance, then upon payment into court of the sums of money awarded such person or persons respectively the title to the lands or other estates, real and personal, thus paid for, shall become vested, in fee, in the United States, of which the deeds from the said parties, or an exemplification of the record of the said court in the premises, shall be the proper and sufficient evidence.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 52.

A Further Supplement

To the act of fourth of May, one thousand eight hundred and sixty four, entitled "An Act for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania."

SECTION 1. *Be it enacted, &c.*, That in time of peace the National Guard shall comprise an aggregate not exceeding ten thousand officers, non-commissioned officers, musicians and privates, and shall consist of two hundred companies, fully armed, uniformed and equipped, to be distributed among the several military divisions of the state, according to the number of its taxable population; but the commander-in-chief shall have power, in case of war, insurrection, invasion or imminent danger thereof, to increase the force beyond the said ten thousand, and organize the same as the exigencies of the service may require.

National Guard, aggregate of in time of peace.

Number of companies.

In time of war, &c., commander-in-chief may increase.

SECTION 2. The organization of the National Guard shall conform generally to the provisions of the laws of the United States, and the system of discipline and exercise shall conform as nearly as may be to that of the army of the United States, excepting that the minimum standard of a company shall be of forty non-commissioned officers and privates.

Organization to conform to laws of United States.

Discipline and exercise to that of army of United States.

Minimum of a company.

SECTION 3. Semi-annual inspections shall be ordered by each division commander, on such days during the months of May and June and September and October as he may arrange with the adjutant general of the state to be present, whose duty it shall be to attend in person, or by deputy, not an officer of the division, one of such division inspections. At every such inspection each company commander shall have ready and deliver to the inspecting officer a correct alphabetical roll of his company, certified under oath, showing opposite each name thereon whether such person is present or absent; if present, whether he is a *bona fide* member of the company, and appears in his own proper uniform and not as a substitute; if absent, from what cause. The inspecting officer, after making a thorough inspection and adding such remarks as he may consider proper, shall transmit such roll, certified by him, through the intermediate channel to the adjutant general of the state, to be filed in his office.

Semi-annual inspections, time of.

Adjutant general to attend in person or by deputy.

Duty of company commander.

Duty of inspecting officer.

SECTION 4. The adjutant general shall, on receipt of such inspection rolls, lay the same before the state military board, to be composed of the adjutant general, auditor general and state treasurer, who shall meet annually on the first Monday of November, for the purpose of auditing and adjusting all military claims incident to the organization and discipline of the National Guard, and which, on the approval of said board endorsed thereon, shall be paid as hereinafter provided.

Rolls to be laid before state military board.

When board to meet to adjust claims.

Companies entitled to pay.

Amount of pay.

How paid and to whom.

How disbursed and accounted for.

Payment of other cases of claims to be determined by state military board.

Embezzling or misapplying of moneys.

Duty of district attorney.

Adjutant general to notify division commanders of number of companies.

Division commanders to report organizations to be disbanded.

Right of maintaining certain organizations not affected hereby.

All acts imposing per capita tax repealed.

Act not to apply to Lancaster county.

SECTION 5. Every company duly organized and found by the military board, on examination of the rolls and report returned by the inspecting officer, to be fully up to the proper standard of numbers, drill and discipline, shall receive directly from the public treasury not more than four hundred dollars per annum, payable on the warrant of the adjutant general on the state treasurer to the order of the company commander, who shall disburse the same among the officers and men of his command, taking their receipts therefor on a pay roll to be returned to the adjutant general of the state, within one month of the receipt by him of the amount of said warrant. In all other cases of military claims or bills adjusted by the state military board, payment shall be made in like manner; and the said board shall determine to whom a warrant shall issue for the amount found due, to be promptly accounted for by the person receiving the same by sufficient voucher to the adjutant general.

SECTION 6. Any member of the National Guard who shall embezzle, misapply, or retain in his possession without authority, any moneys received by him for disbursement, shall be deemed guilty of a felony, and it shall be the duty of the district attorney of the proper county, on complaint being made, to prosecute such offender in any court of competent jurisdiction, and to collect any penalty imposed and pay the same into the state treasury.

SECTION 7. It shall be the duty of the adjutant general, immediately after the passage of this act, to notify the several division commanders of the number of companies, to which his division will be entitled under the first section of this act; and it shall be the duty of each division commander, immediately after the first semi-annual inspection in May next, to report to the adjutant general, what organizations, if any, in his division shall be disbanded, to reduce the number if in excess to the quota due his division, and on receipt of such report, orders shall issue for disbanding such organizations.

SECTION 8. Nothing herein contained shall be construed as affecting the right of the First Troop, Philadelphia City Cavalry, infantry corps of State Fencibles, Washington Infantry of Pittsburg, the artillery corps of Washington Grays, the infantry corps of National Guards of Philadelphia, the Wecacoe Legion of Philadelphia, National Grays of Philadelphia, the Ringgold Artillery of Reading, and the Duquesne Grays of Pittsburg, the City Grays of Harrisburg, the Titusville Citizens Corps, to keep and maintain their respective organizations with their original vested rights, privileges and immunities, and shall be deemed legal organizations, in addition to the number of companies provided for in the first section of this act.

SECTION 9. Any act or parts of acts which impose a per capita tax upon persons liable to military duty be and the same are hereby repealed: *Provided*, That the provisions of this act shall not apply to the county of Lancaster until after the assessment and collection of military taxes and fines, for the year one thousand eight hundred and seventy-six, under existing laws now in force in said county.

SECTION 10. Any provision of any act or supplement heretofore passed for the organization, discipline and regulation of the militia of the commonwealth, inconsistent or conflicting with the provisions of this act is hereby repealed.

APPROVED—The 15th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 53.

An Act

Relating to the fees of the surveyor general.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act the fees to be collected by the surveyor general, for the use of the commonwealth, shall be as follows, namely:

For warrant including return thereof, five dollars.

Patent for five acres or less, five dollars.

Patent for more than five acres, ten dollars.

Copy of patent, one dollar.

Certificate with seal of office on patent, when mortgage is discharged, fifty cents.

Every search, twenty-five cents.

Calculation of money due on land, including search, fifty cents.

Caveat, one dollar.

Issuing citation, one dollar.

Recording application for and making order of re-survey, one dollar.

Order of the board of property, directed by the surveyor general to the county surveyor to be executed, one dollar.

Copy of action or determination of board of property, with seal, one dollar.

Order for valuing islands, two dollars.

Entering application on petition to the board of property, together with the minutes thereon, for any other purpose than a re-survey, one dollar.

Certified copy of a draft of a single tract, with certificate and seal, one dollar.

Connecting separate drafts into one general draft, with certificates for each separate draft therein, seventy-five cents.

Copy of general draft of town or out-lots, for each tract of land therein described, twenty-five cents.

Extract from a general draft, for each tract of land therein described, twenty-five cents.

Copy of draft of lots or tract of land annexed to certificate of Connecticut claimants or others, for each tract, seventy-five cents.

Copy of warrant, application or any other office right, relating to but one tract of land not hereinbefore enumerated, fifty cents.

Copy of extract from the deputy surveyor's list of returns, and all other extracts not hereinbefore recited, for each tract, twenty-five cents.

Copy of any record or paper or any part thereof, not included in the foregoing, for two hundred words or less, fifty cents; and one cent for every ten words additional.

Certifying and affixing seal of office to any copy, connected draft, extract, certificate or minute, twenty-five cents.

SECTION 2. All laws and parts of laws inconsistent herewith are hereby repealed, so far as they relate to the fees of the surveyor general.

APPROVED—The 15th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 54.

A Supplement

To an act, entitled "An Act to provide for the incorporation of iron and steel manufacturing companies," approved March twenty-first, Anno Domini one thousand eight hundred and seventy-three, extending same to coke, glue, sand-paper, hair, kent and woolen goods and paper, and authorizing increase of capital.

Act extended.

SECTION 1. *Be it enacted, &c.*, That the provisions of the act to which this is a supplement, be and the same are hereby extended to the manufacturing of coke with iron and steel or either of them; and also to glue, sand-paper, hair, kent and woolen goods, and paper.

Companies may increase capital stock.

SECTION 2. That companies incorporated under the act to which this a supplement, may increase, from time to time, their capital stock to any sum not exceeding five million dollars, as is provided for the increasing of capital stock by the act to which this is a supplement, such increase to be duly certified within thirty days to the auditor general: *Provided*, Any proposed increase over one million dollars shall be first submitted to the attorney general for examination, and if he is satisfied of the reasonableness thereof, shall so certify to the governor, and if the governor approves thereof, said company may thereupon, within one year, increase its capital to the amount so approved.

Proviso.

Bonus on capital stock.

SECTION 3. That the bonus provided to be paid by every company incorporated under the act to which this a supplement, upon the original amount of capital stock, and upon an increase, shall be paid in two equal annual instalments, unless hereafter otherwise provided by law, and so much of the

eighth section as provides for the payment of said bonus in five annual instalments is hereby amended.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 55.

A Supplement

To an act, entitled “An Act providing for the health of persons employed in coal mines,” approved the third day of March, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.,* That inspectors of coal mines and collieries, provided for in the fourteenth section of the act, entitled “An Act providing for the health and safety of persons employed in coal mines,” approved the third day of March, Anno Domini one thousand eight hundred and seventy, shall and may be appointed by a majority of the board of examiners provided for in said act; should said board of examiners disagree in their selection of inspector, the judge of the courts of common pleas of said counties have the power to dissolve said board and appoint a new board of like qualifications, as aforesaid. How inspectors to be appointed.

SECTION 2. All laws or parts of laws inconsistent with this act are hereby repealed. Repeal.

APPROVED—The 25th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 56.

An Act

Regulating the election of state treasurer.

SECTION 1. *Be it enacted, &c.,* That the qualified voters of this commonwealth shall choose by ballot, on the second Tuesday of October, Anno Domini one thousand eight hundred and seventy-three, and on the day of the general election every second year thereafter, one person to fill the office of state treasurer, and until such officer is elected and assumes the duties of his office, according to the provisions of this act, the present incumbent, upon his renewing his official bond, to be approved by the governor, not later than the first Mon- How state treasurer to be elected. Present incumbent to continue until successor assumes duties.

day of May next, shall have all the powers and perform all the duties of state treasurer.

To be commissioned.

When to assume duties.

Powers and duties.

Term of office.

Salary.

Elections regulated.

Vacancy, how filled.

How elections contested.

To be sworn.

Give security.

Bond to be recorded.

Copies to be evidence.

SECTION 2. Any person elected state treasurer in pursuance of the provisions of this act, shall be commissioned by the governor of this commonwealth, and assume the duties of the office on the first Monday of May next succeeding his election, and shall have and possess all the powers granted, perform all the duties and be subject to all the penalties imposed by existing laws of the commonwealth relating to state treasurer and the management of the state treasury.

SECTION 3. The term of the office of state treasurer shall be two years, from the first Monday of May next succeeding his election. His salary shall be five thousand dollars per annum, payable quarterly, and no person shall be twice chosen in four years.

SECTION 4. The election laws now in force for the choice of governor of this commonwealth, shall regulate the election of state treasurer; and in case of any vacancy occurring in said office from death, resignation, failure to qualify and assume the duties after election or otherwise, the governor shall appoint some proper person to fill such vacancy until the first Monday of May following the next general election; and the qualified electors shall, at the first general election, which shall happen more than sixty days after such vacancy shall occur, elect, in the manner herein provided, a suitable person to fill said office for the full term authorized by the provisions of this act.

SECTION 5. That the election of any person appearing to be elected treasurer under the provisions of this act, may be contested on the petition of the qualified electors of this commonwealth, by the same tribunal and in the same manner and under the same resolutions and restrictions prescribed under the act of July second, one thousand eight hundred and thirty-nine, for contesting the election of any person as governor of this commonwealth.

SECTION 6. Before he enters upon the duties of his office, the state treasurer shall take the oath of office, or affirmation of office, agreeably to the directions of the constitution of the United States and this commonwealth, and shall become bound in an obligation with five or more sureties, to be approved by the governor, in the sum of one million of dollars, lawful money of the United States, conditioned for the true and faithful performance of the trusts and duties enjoined and required by law, to be performed by such treasurer; and the execution thereof being duly proved, the same shall be entered of record in the office of the secretary of the commonwealth. Copies of such obligation, duly authenticated under the seal of said office, shall be received as legal evidence in any court of this commonwealth.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 57.

A Supplement

To an act, entitled "An Act to authorize corporations to issue preferred stock," approved the third day of April, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That any company authorized by the act to which this is a supplement, to issue preferred stock, may issue the same in different classes, to be distinguished in such manner as the directors of such company may prescribe; and they may give to the various classes such order of preference in the payment of the dividends, or in the rate of dividends thereon, or in the redemption of the principal thereof, as may be approved by the holders of a majority of the stock of the company; and the company shall have the right to redeem its preferred stock upon such terms as may be prescribed in the issue thereof; and it may specifically appropriate for the payment of the dividends upon any class of stock, or for the redemption of the principal thereof; the revenues from any specific department of its business or the proceeds of any specified portions of its assets or property: *Provided*, That no injustice shall thereby be done to the existing rights of other stockholder or creditors of the company.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 58.

An Act

To re-organize the Congressional districts of Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That for the purpose of electing representatives of the people of Pennsylvania, to serve in the House of Representatives in the congress of the United States, this state shall be divided into twenty-seven districts, namely:

First.—The First, Second, Seventh and Twenty-sixth wards of the city of Philadelphia.

Second.—The Eighth, Ninth, Tenth, Thirteenth, Fourteenth and Twentieth wards of the said city, and that part of the Seventeenth ward lying west of Second street.

Third.—The Third, Fourth, Fifth, Sixth, Eleventh, Twelfth and Sixteenth wards of said city.

Fourth.—The Fifteenth, Twenty-first, Twenty-fourth, Twenty-seventh, Twenty-eighth and Twenty-ninth wards of said city.

Fifth.—The Eighteenth, Nineteenth, Twenty-second, Twenty-third and Twenty-fifth wards of the said city, and that part of the Seventeenth ward lying east of Second street.

Sixth.—The counties of Chester and Delaware.

Seventh.—The county of Montgomery, and all that portion of Bucks county not included in the Tenth district.

Eighth.—The county of Berks.

Ninth.—The county of Lancaster.

Tenth.—The counties of Northampton and Lehigh, and the townships of Durham, Milford, Springfield, Richland, Rockhill, Haycock, Nockamixon and Tinicum, and the borough of Quakertown, in the county of Bucks.

Eleventh.—The counties of Columbia, Montour, Carbon, Monroe, Pike, and the townships of Nescopeck, Black Creek, Sugar Loaf, Butler, Hazel, Foster, Bear Creek, Bucks, Roaring Brook, Salem, Hollenbach, Huntingdon, Fairmount, Spring Brook, and that part of the city of Scranton south of Roaring Brook creek and east of Lackawanna river, and the boroughs of Dunmore, New Columbus, Goldsboro', White Haven, Jeddo and Hazleton.

Twelfth.—All that part of Luzerne county not included in the Eleventh district.

Thirteenth.—The county of Schuylkill.

Fourteenth.—The counties of Dauphin, Northumberland and Lebanon.

Fifteenth.—The counties of Bradford, Susquehanna, Wayne and Wyoming.

Sixteenth.—The counties of Tioga, Potter, M'Kean, Cameron, Lycoming and Sullivan.

Seventeenth.—The counties of Cambria, Bedford, Blair and Somerset.

Eighteenth.—The counties of Franklin, Fulton, Juniata, Huntingdon, Snyder and Perry.

Nineteenth.—The counties of York, Adams and Cumberland.

Twentieth.—The counties of Union, Clinton, Clearfield, Elk, Mifflin and Centre.

Twenty-first.—The counties of Westmoreland, Greene, and Fayette.

Twenty-second.—The city of Pittsburg and the townships of Chartiers, Union, Scott, Stowe, Robinson, Upper and Lower St. Clair, Baldwin, Wilkens, Penn, Snowden, Mifflin and Jefferson, and the boroughs of Mansfield, Chartiers, Braddocks, and West Elizabeth in the county of Allegheny.

Twenty-third.—All that portion of Allegheny county not included in the Twenty-second district.

Twenty-fourth.—The counties of Washington, Beaver and Lawrence.

Twenty-fifth.—The counties of Clarion, Armstrong, Indiana, Forest and Jefferson.

Twenty-sixth.—The counties of Butler, Mercer and Crawford.

Twenty-seventh.—The counties of Erie, Warren and Venango.

SECTION. 2. In those congressional districts which are composed of more than one county, the judges of the district elections in each county, after having formed a return of the whole election within such county, in such manner as is or may be provided by law, shall send the same by one of their number to the place hereinafter mentioned, within the district of which such county is a part, when judges so met shall cast up the several county returns, and execute under their hand and seals, one general and true return of the whole district, to wit: The judges of the Sixth district shall meet at the court house in West Chester, in the county of Chester; the judges of the Seventh district shall meet at the court house in Norristown, in the county of Montgomery; the judges of the Tenth district shall meet at the court house in Allentown, in the county of Lehigh; the judges of the Eleventh district shall meet at the court house in Mauch Chunk, in the county of Carbon; the judges of the Fourteenth district shall meet at the court house in Harrisburg, in the county of Dauphin; the judges of the Fifteenth district shall meet at the court house in Tunkhannock, in the county of Wyoming; the judges of the Sixteenth district shall meet at the court house in Williamsport, in the county of Lycoming; the judges of the Seventeenth district shall meet at the court house in Hollidaysburg, in the county of Blair; the judges of the Eighteenth district shall meet at the court house in Chambersburg, in the county of Franklin; the judges of the Nineteenth district shall meet at the court house in York, in the county of York; the judges of the Twentieth district shall meet at the court house in Bellefonte, in the county of Centre; the judges of the Twenty-first district shall meet at the court house in Uniontown in the county of Fayette; the judges of the Twenty-fourth district shall meet at the court house in Beaver, in the county of Beaver; the judges of the Twenty-fifth district shall meet at the court house in Kittanning, in the county of Armstrong; the judges of the Twenty-sixth district shall meet at the court house in Mercer, in the county of Mercer; the judges of the Twenty-seventh district shall meet at the court house in Warren, in the county of Warren; in the county of Bucks, separate returns shall be made up for portions of the county in the Seventh and Tenth district, and a return judge sent for each, and in the county of Luzerne a separate return shall be made for that portion of the county in the Eleventh district, and a return judge sent therewith.

Meetings of district return judges

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 59.

An Act

To provide for the appointment of a board of fishery commissioners, for the construction of fishways, and for the protection and propagation of fish, and appropriating money for the same.

Selling shad caught out of season, prohibited.

Penalty.

How to be recovered.

Not to prohibit taking of fish for propagation.

Fishing on Sunday prohibited.

Penalty.

Officers to suppress such fishing.

Their powers and duties.

SECTION 1. *Be it enacted, &c.*, That hereafter no person shall have in his or her possession, or expose to sale, any shad caught in the river Delaware, or any of its tributaries, within the jurisdiction of this state, below the head of Trenton falls, between the eleventh day of June and tenth day of August in any year, or above the head of Trenton falls, or anywhere on the river Susquehanna, or on any of its tributaries, within said jurisdiction, between the sixteenth day of June and the tenth day of August in any year, under a penalty of five dollars for each and every shad so had in possession or exposed for sale, to be recovered in any action or actions of debts, with costs of suit, by any person or persons in his or their name or names, before any justice of the peace in the county where the offence was committed, or where the defendant resides or is found: *Provided*, That nothing in this act contained shall make it unlawful for the fishery commissioners of this state, or of the co-riparian states, or of the United States commissioner of fisheries, with the consent of the fishery commissioners of this state or of the co-riparian states, to take fish in the said waters for the purpose of natural or artificial spawning, or propagation of the same.

SECTION 2. It shall not be lawful to catch fish in any way whatever, in any of the waters in which migratory fish will live, and over which this state has either original or treaty, statutory or constructive jurisdiction, reciprocally, interchangeably or otherwise, at any time between twelve o'clock midnight on Saturday and the next ensuing Sunday at twelve o'clock; the said offence to be deemed a misdemeanor, and on conviction, the person or persons so offending, shall be guilty of a misdemeanor, and on conviction be sentenced to pay a fine not exceeding one hundred dollars, at the discretion of the court; and sheriffs and constables or harbor police officers, and their deputies, are hereby authorized and required to suppress all such fishing, using such means and force as may be necessary to arrest such persons found in sight of such officer or his deputy, in the commission of the offence, and seize such boats and their apparel, tackle, implements, nets, et cetera, as may be used or employed in the same; the said persons to be tried and punished as aforesaid, and the property taken to be sold at public sale by the said sheriffs and constables on due public notice given, the proceeds to be turned over to the treasuries of the proper counties or cities bordering upon or embracing the stream or streams whereon the offence shall have been committed: *Provided*, That fisher-

men and those only necessarily using such seines in their regular established business, as on account of the large size of said seines, and for that cause alone, cannot be set or laid out, except at the slack or turn of the tide, may set their nets or seines at only one such turn of the tide occurring by regular tidal changes between any midnight, during the fishing season, on Saturday night and on sunrise on the following Monday morning, without incurring the penalties provided in this section: *Provided*, None of the provisions of this section shall apply to any one fishing with hook and line.

SECTION 3. Trespassing upon fish preserves, or ponds, shall be punishable as other unlawful trespass for breach of a close, but no action shall be sustained therefor, unless public notice of the character of said preserves, by hand-posts, be set near the said waters by the owners or occupants thereof; and if a roadway, pathway, railway or other form of crossing shall pass over waters held, owned or used as fish preserves by any person or persons engaged in the culture, propagation or preservation of fish, it shall not be lawful for any person to fish in the said waters from the said crossing, or from any of its parts or projectures, and any person or persons so offending, shall be liable in an action of trespass before the tribunal having jurisdiction thereof: *Provided*, That notice shall be fixed at such crossing, by the owner or occupant of the close or preserve, warning the public that the said waters are used as preserves, for the culture, propagation or preservation of fish; and the owners or occupants of such enclosures, having given written notice to their neighbors or adjoining occupants, of the character of said preserves or enclosures, and warned them not to permit domestic water fowls to trespass upon the same, which warning being unheeded for a period of ten days, the said owners or occupants may take possession of or otherwise destroy said water fowl or water fowls, without any liability for taking or destroying the same.

SECTION 4. That it shall not be lawful to fish with nets, or any other method of entrapping fish, except with hook and line, within half a mile of any part of any dam or its schute, in which there is, or may hereafter be, any schute or fish ladder for navigation, or for the purpose of the passage of fish up or down any stream in this commonwealth; and any person or persons so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be sentenced to pay a fine not exceeding one hundred dollars, at the discretion of the court: *Provided*, That the provisions of this section shall not take effect until the first day of March, in the year of our Lord one thousand eight hundred and seventy-four.

SECTION 5. The governor of the commonwealth, is hereby authorized and required to appoint three competent persons, who shall be known as the state fishery commissioners; who shall be commissioned and hold their positions for the period of three years from the date of their appointment, unless the said commission is sooner dissolved by legislative enactment; and any vacancies occurring in said commission, by death, resignation, or otherwise, shall for the unexpired

Exceptions.

Trespassing on fish preserves punishable.

Notice to be posted

After notice given, fowls trespassing upon preserves may be destroyed.

Fishing with nets near dams containing schutes, prohibited.

Penalty.

When to take effect.

Governor to appoint commissioners.

Terms of office.

Vacancies.

Duties.

term in like manner be filled, by the appointment and commission of the governor. The general duties of the said commissioners, in addition to their other duties specified in this act, shall be to forward the restoration of the inland fisheries of the rivers and waters of this commonwealth, and to stock the same with fish in succession at their judgment, as they shall be supplied with means therefor; and they shall use every lawful means to have all the laws in the case or cases made and provided, to be faithfully executed, who shall be paid their reasonable and necessary expenses for the performance of the duties prescribed by this act, and shall report their proceedings and doings annually to the legislature, through the governor of the commonwealth, accompanied by a full and itemized statement, under oath, of all expenditures made by them in pursuance of the provisions of this act: *Provided*, That before the governor shall issue a commission to any of the said commissioners, he may require each of them to file a bond in the sum of ten thousand dollars, with one or more sufficient sureties, in the auditor general's office, to be approved of by the said auditor general, conditioned for the performance of the duty of said commissioners with fidelity and the faithful application of any moneys which may come to his hands as such commissioner.

Expenses to be paid.

To make report.

Governor may require security before issuing commissions.

To have fishways constructed in certain dams, and appropriations for such purposes.

SECTION 6. During the present year, one thousand eight hundred and seventy-three, the commissioners aforesaid are required to have constructed, by contract with the lowest and best bidders, after due public notice, approved fishways or ladders for the passage of migratory or anadromous fishes, as follows, to wit: One in the Columbia dam, in addition to the one now existing therein; one in the Clark Ferry dam; one in the Shamokin dam, and one in the first dam in the Juniata river, above its confluence with the Susquehanna river, for which purpose twenty-five thousand dollars, (\$25,000) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated. During the year one thousand eight hundred and seventy-four, (1874) the said commissioners are hereby required to have constructed, by contract, in like manner, with the lowest and best bidders, after due public notice, approved fishways or ladders for the passage of migratory or anadromous fishes, as follows, to wit: One in the Muncy dam; one in the Nanticoke dam; one in the Lewistown dam, (in the narrows,) and one in each of the two dams first occurring on the Lehigh river, above its confluence with the Delaware river, and one in the Horse Race and Towanda dam, in the North Branch of the Susquehanna river, or open said dams, for which purpose thirty thousand dollars, (\$30,000,) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated; and during the year one thousand eight hundred and seventy-five, (1875) the said commissioners are required to have constructed, by contract with the lowest and best bidders, after due public notice, approved fishways or ladders for the passage of migratory or anadromous fishes, as follows, to wit: One in the Newton Hamilton dam; one in the Raystown Branch dam, and

one in the third and fourth dams, each on the Lehigh river, above its confluence with the Delaware river, for which purpose twenty thousand dollars, (\$20,000,) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated: *Provided*, That in each of the said years, the fishways aforesaid shall be completed in succession in the order in which they are above named; and no moneys shall be paid out of the state treasury under the provisions of this section, except upon the qualified certificate or certificates of the said commissioners, or a majority thereof, from time to time, that the services have been rendered or the work done in accordance with this act, which certificates, being presented to the auditor general, he shall issue his warrant or warrants upon the state treasury in payment of the same, in favor of the person or persons to whom the same may be due: *And provided*, That none of the fishways named in this section, to be constructed in the years eighteen hundred and seventy-four (1874) and eighteen hundred and seventy-five, (1875) shall be put under contract or constructed, unless the said commissioners, or a majority of them, shall, on or before the first day of May, in the year one thousand eight hundred and seventy-four, (1874) file a certificate with the auditor general, that in their opinion the said fishways have been successful, and can be successfully used for the passage of migratory or anadromous fishes: *And provided further*, That any fishways constructed under this act, must be built and constructed in a substantial manner, after the most improved and approved method, to admit of the passage of fish at reasonable cost and so as not to injure the dams for the purposes for which they are now used.

How to be completed.

How moneys to be paid.

No fishways to be constructed in 1874 and 1875, unless certificate is filed.

How to be constructed.

SECTION 7. The board of fishery commissioners may, if they consider it necessary, appoint not exceeding two fish wardens or water bailiffs, to be placed in charge of each of the reaches or stretches of the river immediately below or above the dams mentioned, and at least three fish-wardens or water bailiffs on the river Delaware at such point or points as they may deem proper, whose duty it shall be to be vigilant, and who, if it be necessary, are hereby empowered to call to his or their aid any sheriffs, constables, harbor police officers or their deputies, and upon information made by him or them, or upon view of any offence against or infraction of any of the fishery laws, to arrest and bring to punishment all and any offenders against the same, the pay of each of which officers shall not exceed one hundred dollars in any one year.

May appoint wardens or bailiffs.

Their duties and powers.

Compensation.

SECTION 8. Should the state of New Jersey appropriate funds for the artificial propagation of shad in the river Delaware, during the fishing season of the current year, one thousand eight hundred and seventy-three, the board of fishery commissioners are authorized to apply and employ a similar amount for the same purpose: *Provided*, The said amount shall not exceed the sum of three thousand dollars: *And provided further*, That the said sum, not exceeding three thousand dollars, is hereby appropriated for that purpose, to be paid by the state treasurer upon the warrants of

May, in certain case, apply \$3,000 to propagation of shad in Delaware.

- How to be paid. the said board of fishery commissioners, from time to time, as the same may be necessary, whenever a certificate of the appropriation and action of the state of New Jersey shall be filed in the office of the state treasurer, authenticated as required by the laws of said state.
- Provisions against fish baskets, kiddles, &c. SECTION 9. That the provisions against fish baskets, kiddles, eel wiers, or racks, and similar contrivances, contained in section eleven of the act of twenty-fourth of May, one thousand eight hundred and seventy-one, are hereby made applicable to all streams or parts of streams under the jurisdiction of this commonwealth; and it shall be the duty of the board of fishery commissioners to notify the public as to the spawning time, specifying the same, as far as they can ascertain it, of the various tribes of useful food fishes inhabiting the inland waters of this commonwealth, during which time it shall be unlawful for any person or persons to catch or have in possession any fish or fishes of the tribes or kinds of which notice has been given by the commissioners as aforesaid, under the same penalties for the same, prescribed as to shad in the first section of this act.
- To notify public as to spawning times. board of fishery commissioners to notify the public as to the spawning time, specifying the same, as far as they can ascertain it, of the various tribes of useful food fishes inhabiting the inland waters of this commonwealth, during which time it shall be unlawful for any person or persons to catch or have in possession any fish or fishes of the tribes or kinds of which notice has been given by the commissioners as aforesaid, under the same penalties for the same, prescribed as to shad in the first section of this act.
- Fishing during such times, prohibited. SECTION 10. It shall further be the duty of the said fishery commissioners to select proper and suitable locations, and construct and erect suitable houses and devices for the purpose of hatching and propagating useful tribes of food fishes, and to stock and supply all the streams, lakes and fresh waters of the commonwealth with the same, by distributing the impregnated spawn or fry of the said tribes of fishes to all parts of the state, under proper regulations, having in view the encouragement of fish culture, and to employ the necessary labor and buy the necessary material, machinery and implements therefor; and for that purpose, and to pay the necessary expenses of the said fishery commissioners, and of the bailiffs they may employ in pursuance of section seven of this act, the further sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be paid by the state treasurer on the warrant or warrants of the said commissioners or a majority of them, from time to time, as the work is done or the service rendered: *Provided*, That the said commissioners shall file annually with the auditor general, an account of all moneys expended and services rendered, and whenever it may be practicable, produce and file with said account the proper vouchers for the same.
- To erect hatching houses, distribute spawn, &c. SECTION 11. It shall be the duty of any person or persons, or corporations, hereafter erecting or constructing any dam or dams in any of the rivers of this commonwealth, or their tributaries, accessible to shad or other migratory fishes, to put in or upon the same suitable fishways or ladders, under the direction and approval of the said fishery commissioners, without which every such dam shall be deemed a public nuisance, and liable to be abated upon the information of any one complaining.
- Appropriation to pay expenses. SECTION 12. That if any person shall cast, draw, set or fasten or otherwise make use of any seine, set-net, fyke-net or net of any other description of less mesh than ten inches,
- To file account of moneys expended. SECTION 13. That if any person shall cast, draw, set or fasten or otherwise make use of any seine, set-net, fyke-net or net of any other description of less mesh than ten inches,
- Duty of persons constructing dams. SECTION 14. That if any person shall cast, draw, set or fasten or otherwise make use of any seine, set-net, fyke-net or net of any other description of less mesh than ten inches,
- Penalties for fishing with nets during certain periods. SECTION 15. That if any person shall cast, draw, set or fasten or otherwise make use of any seine, set-net, fyke-net or net of any other description of less mesh than ten inches,

or any other appliance except the hook and line, for the purpose of catching fish, between the fifteenth day of June and the tenth day of August, in any year, the person or persons so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one hundred dollars, and undergo an imprisonment not exceeding six months, or both or either, at the discretion of the court: *Provided*, That the provisions of this section shall not apply to the river Delaware, below Trenton Falls. Proviso.

SECTION 13. That all laws or parts of laws, inconsistent herewith, be and the same are hereby repealed. Repeal.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 60.

An Act

To authorize the registry or transfer of certain bonds.

SECTION 1. *Be it enacted, &c.*, That bonds issued, or which may be issued, by the state of Pennsylvania, or by any county, city, municipal authority or corporation therein, payable to bearer, may at the option and at the expense of the holder thereof be returned, and new registered bonds of the same, or of a larger denomination, to the aggregate amount thereof, be issued, payable at the same time and place as the bonds so retired, to the order of the holder of said registered bonds, and transferable only by assignment executed before and attested under the hand and seal of some officer authorized by law to take the acknowledgments of deeds, which transfer shall only become operative against the corporations aforesaid, when noted on the transfer book of the party or corporation issuing the bond, and which book of transfer all parties or corporations issuing such bonds, are hereby required to keep; and for the interest due or to become due on the bonds, so retired as aforesaid, it shall be lawful for the obligors to issue interest certificates, at the same rate of interest, due at the same time and place as the original coupons corresponding with the denominations of the registered bonds, and payable to the order of the holder of said registered bond.

Bonds of state, cities, &c., payable to bearer, may be exchanged for registered bonds

How such bonds transferable.

Interest certificates may be issued.

SECTION 2. And it shall further be lawful for any corporate body, as aforesaid, which shall issue or may have issued coupon bond or bonds payable to bearer, to register any such original bond or bonds in the name of the holder thereof, and upon his or her request, and at his or her expense, and stamp or print in large type, or write upon the face thereof, that the same will only be paid to the order of the registered

May register original bonds in name of holder.

How transferable. holder thereof; and from and after such stamping, printing or writing, such bonds shall only be transferable in the manner provided for in the first section of this act, unless the holder shall make them payable to bearer by a properly attested assignment to that effect; such bond shall continue subject to successive registrations, limitations or transfers to bearer, at the option of each holder; and the word registered stamped, printed or written upon the coupon of such bonds, shall be legal notice that they are no longer payable to bearer, but to the order of the party in whose name the bond to which the coupon is attached, shall be registered, unless the last assignment thereon duly executed, shall be to the bearer, in which event the coupon shall be payable as in other cases of coupon bonds to bearer.

Subject to successive registrations, &c.

What to be notice that bonds are payable to order.

Transfers by endorsement, relative to.

SECTION 3. It shall be lawful for the holder or holders of any such coupon bonds or bond, payable to bearer, to stamp, print or write on the face thereof, "payable to endorsed holder," and to endorse thereon, pay to order of ———, signing his, her or their names thereto in the presence of some officer authorized to take the acknowledgment of deeds, who shall attest the same under his hand and seal, and said bond, thereafter, shall only be payable to the legal holder thereof, or the legal representative of such holder; such bond or bonds shall continue subject to successive transfers in the same manner, and with like force and effect by the person thus legally holding the same; and the holder of such bond may stamp, print or write on the coupons thereof, "endorsed," and such stamping, printing or writing on the face and coupons of such bond, shall be notice that they are no longer payable to bearer, but to the endorsed holder, or order, or the legal representatives thereof, unless the last endorsement shall be to bearer when they shall be payable as other coupon bonds to bearer.

Registrations made as provided, or by agreement, valid.

Not to repeal special enactments, nor transfers impair lien of mortgages.

SECTION 4. Registrations made, or to be made, of such bonds, in the manner herein provided, or in such other manner as may have been adopted between the makers and holders thereof, shall be valid; and the provisions of this act shall not be construed as repealing special enactments in regard to the transfer of bonds of any corporation, nor shall the transfer of any bond or bonds in the manner herein provided impair any security or the lien of any mortgage, which may have been given to secure the payment thereof, or the rights, duties and powers of any trustee in relation thereto.

APPROVED—The 1st day of May, A. D. 1873.

J. F. HARTRANFT.

No. 61.

An Act

To amend and consolidate the several acts relating to game and game fish.

SECTION 1. *Be it enacted, &c.,* That no person shall kill or pursue, in any part of this state, any elk or wild deer, save only from the first day of September to the first day of January, in any year; no person shall have in his or her possession, or offer for sale, or transport any elk, or wild deer, or fresh venison, save only from the first day of September to the first day of January, in any year; no person shall, at any time, kill any fawn when in its spotted coat, or have the fresh skin of such fawn in his or her possession; no person shall pursue any elk or wild deer with dogs in any part of this state, or shall kill in the water any elk, or wild deer, or fawn which has been driven thereto by dogs; no person shall, in any part of this state, set any trap or any other device at any artificial salt lick, or other place, for the purpose of trapping any elk, deer or fawn, and catch or kill the same except for consumption in his or her family; any person offending against any of the provisions of this section, shall be deemed guilty of a misdemeanor, and shall be liable to a penalty of fifty dollars for each elk, wild deer or fawn so killed, pursued or trapped, or fresh elk, wild deer or fawn skin had in his or her possession, and may be proceeded against in any county of the state wherein he may be arrested having the same in his or her possession: *Provided however,* That any person may sell, or have in his or her possession, the elk or wild deer aforesaid, between the first day of December, in any year, and the first day of February next following, without liability to the penalty herein imposed: *Provided,* He shall prove that such game, if killed in this state, was killed within the time allowed by this act, or was killed outside of the limits of this state, and at some place where the law did not prohibit such killing; dogs pursuing elk, or wild deer or fawns, may be killed by any person, and any constable or other town official may kill any dog that habitually pursues elk, wild deer or fawns, and the owner of such dog shall be liable to a penalty of ten dollars for each elk, wild deer or fawn killed by such dog: *Provided,* That so much of this section as prohibits the running of deer with dogs shall not apply to the counties of Centre, Clinton, Fayette, Schuylkill and Wyoming.

Deer-hunting season 1st of September to 1st of January.

Sale or transport of, out of season, forbidden.

Killing of fawns forbidden.

Pursuit of, with dogs, forbidden.

Trapping of, forbidden except for family use.

Penalty \$50.

May have or sell between 1st December and 1st February, if killed in season.

Dogs pursuing deer, &c., may be killed.

Exceptions as to running deer with dogs, Centre, Clinton, Fayette, Schuylkill and Wyoming counties

SECTION 2. No person shall kill, or expose for sale, or have unlawfully in his or her possession, after the same has been killed, any gray, black or fox squirrel, between the first day of January and the first day of July, in each year, under a penalty of five dollars for each and every squirrel so killed or had in possession.

Squirrel.

Hare or rabbit.

SECTION 3. No person shall kill, or expose for sale, or have unlawfully in his or her possession, after the same has been killed, any hare commonly called rabbit, between the first day of February and the first day of October, in any year, under a penalty of five dollars for each and every hare or rabbit so killed or had in his possession; no person shall hunt or cause or permit the hunting of hares or rabbits with a ferret or ferrets, under a penalty of ten dollars for each and every hare or rabbit caught or killed by means of a ferret or ferrets.

Penalty for hunting hare with ferret.

Trapping, &c., wild duck or goose, prohibited.

SECTION 4. No person shall, at any time, kill any wild duck or goose, with any device or instrument known as a swivel or punt gun, or with any gun other than such guns as are habitually raised at arms length and fired from the shoulder, or shall use any net, device instrument or gun other than such gun as aforesaid with intent to capture or kill any such wild duck or goose, under a penalty of fifty dollars.

Wild turkeys.

SECTION 5. No person shall kill, or expose for sale, or have unlawfully in his or her possession, after the same has been killed, any wild turkey, between the first day of January and the first day of October, in any year, under a penalty of twenty-five dollars for each bird so killed or had in possession.

Upland or grass plover, gray snipe, &c.

SECTION 6. No person shall kill, or expose for sale, or have unlawfully in his or her possession, after the same has been killed, any upland or grass plover, between the first day of January and the first day of August, in any year, under a penalty of ten dollars for each bird so killed or had in possession, or wilson or gray snipe, between the twentieth day of April and the first day of September, in any year, under a like penalty.

Woodcock.

SECTION 7. No person shall kill, or expose for sale, or have unlawfully in his or her possession, after the same has been killed, any woodcock, between the first day of January and the first day of August, in any year, under a penalty of ten dollars for each bird so killed or had in possession.

Quail or Virginia partridge.

SECTION 8. No person shall kill, or expose for sale, or have unlawfully in his or her possession, after the same has been killed, any quail or Virginia partridge, between the first day of January and the first day of November, in any year, under a penalty of ten dollars for each bird so killed or had in possession.

Pheasant and prairie chicken.

SECTION 9. No person shall kill, or expose for sale, or have unlawfully in his or her possession, after the same has been killed, any ruffed grouse, commonly called pheasant, or pinated grouse, commonly called prairie chicken, between the first day of January and the first day of September, in any year, under a penalty of ten dollars for each bird so killed or had in possession.

Rail or reed bird.

SECTION 10. No person shall kill, or expose for sale, or have unlawfully in his or her possession, after the same has been killed, any rail bird or reed bird, except in the months of September, October and November, under a penalty of five dollars for each and every rail bird or reed bird so killed or had in possession.

SECTION 11. No person shall, at any time, within this state, kill, trap or expose for sale, or have unlawfully in his or her

possession, after the same is killed, any nighthawk, whippoorwill, sparrow, thrush, lark, finch, martin, chimney swallows, barn swallows, woodpecker, flicker, robin, oriole, red or cardinal bird, cedar bird, tanager, cat bird, blue bird, or any other insectivorous bird, under a penalty of five dollars for each bird killed, trapped, exposed for sale or had in possession.

Nighthawk, whippoorwill, robin, chimney sparrow, woodpecker, &c.

SECTION 12. The last section, to wit: Section eleven, shall not apply to any person who shall kill any bird for the purpose of scientific investigation, or having the same stuffed and set up as a specimen.

Exception, scientific purposes

SECTION 13. No person shall rob or destroy the eggs or nests of any wild birds whatsoever, save only those of such predatory birds as are destructive of game and insectivorous birds, under a penalty of ten dollars for each offence: *Provided*, That this section shall not apply to any person who shall collect such eggs for scientific purposes.

Penalty for destroying eggs of wild birds.

Exceptions.

SECTION 14. No person shall kill, catch or discharge any fire-arms at any wild pigeon while on its nesting ground, or break up, or in any manner disturb such nesting ground, or the birds therein, or discharge any fire-arms within one-fourth of a mile of such nesting place, at any wild pigeon or pigeons, or shoot at, maim or kill any wild pigeon or pigeons within their roostings, under a penalty of twenty-five dollars.

Wild pigeons.

SECTION 15. No person shall, at any time or place, within this state, kill or take any wild turkey or ruffed grouse, commonly called a pheasant, or quail, or Virginia partridge, or woodcock, or rail or reed bird, by means of any blind, trap, snare, net or device whatever, under a penalty of ten dollars for each and every such bird so trapped, snared or taken: *Provided*, That nothing in this section shall be so construed as to prevent individual or associations for protection, preservation and propagation of game, from gathering alive, by nets or traps, with the written consent of the owner of the land, quails or Virginia partridges, from the twentieth day of December, in any year, to the first day of February next following, for the sole purpose of preserving them alive over the winter.

Penalty for trapping wild turkey, pheasant, &c.

Exceptions.

SECTION 16. There shall be no shooting or hunting on the first day of the week, called Sunday; and any person offending against the provisions of this section shall be liable to a penalty of not more than twenty-five dollars, nor less than ten dollars.

Penalty for hunting on Sunday.

SECTION 17. No person or corporation shall throw or deposit, or permit to be thrown or deposited, any culm or coal dirt into or upon any of the rivers, lakes, ponds or streams of this state, under a penalty of fifty dollars for each offence, in addition to liability for all damage he or they may have done to any individual, owners or lessees on such waters.

Penalty for depositing culm or coal dirt in streams.

SECTION 18. No person shall, at any time, catch any speckled trout with any device, save only with hook and line, except for the purpose of propagation or scientific investigation, or place any set-lines in waters inhabited by them, under a penalty of twenty-five dollars for each offence.

Speckled trout.

SECTION 19. No person shall kill or expose to sale, or have unlawfully in his or her possession after the same has been

Salmon and trout season, April, May, June, July and first days of August.

killed, any salmon or speckled trout, save only during the months of April, May, June and July, and the first fifteen days of August, under a penalty of ten dollars for each salmon or trout so killed or had in possession; but this section shall not prevent any person from catching trout with nets in waters owned by himself to stock other waters.

Salmon trout and lake trout.

SECTION 20. No person shall kill or expose for sale, or have unlawfully in his or her possession after the same has been killed, any salmon trout or lake trout in the months of October, November, December, January and February, under a penalty of ten dollars for each fish.

Penalty for trespassing on private fishing ponds, &c.

SECTION 21. Any person trespassing on any lands for the purpose of taking fish from any private pond, stream or spring, after public notice on the part of the owner or occupant thereof, such notice being posted adjacent to such pond, stream or spring, shall be deemed guilty of trespass, and, in addition to damages recoverable by law, shall be liable to the owner, lessee or occupant in a penalty of one hundred dollars for every such offence.

Set-nets, where prohibited.

SECTION 22. It shall not be lawful for any person or persons to place any set-net or set-nets across any of the canals, rivulets or creeks in this state. Any person violating the provisions of this section shall be liable to a penalty of twenty-five dollars for every offence.

Penalty for corrupting waters.

SECTION 23. No person shall place in any fresh water stream, lake or pond, any lime or other deleterious substance, or any drug or medicated bait, with intent thereby to injure, poison or catch fish, nor place in any pond, lake or stream stocked with or inhabited by salmon, trout, bass, pickerel, sun fish or perch, any drug or other deleterious substance, with intent to kill or catch such salmon, trout, bass or other fish. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall, in addition thereto and in addition to any damage he may have done, be liable to a penalty of fifty dollars, or by imprisonment in the common jail of the county in which such offence is committed not exceeding three months, or by such penalty and imprisonment both.

Black bass, pike or pickerel.

SECTION 24. No person shall, at any time, catch or kill in any of the waters of this state, save only with a hook and line or scroll, and no person shall catch or expose for sale, or have in his or her possession, after the same has been killed, any black bass, pike or pickerel, between the first day of March and the first day of June, except alive for stocking other waters, under a penalty of twenty-five dollars for each offence.

Meshes of nets regulated.

SECTION 25. In any of the inland waters of this state, inhabited by speckled trout or black bass, and in which the fishing with nets and the like devices, is not altogether prohibited by this act or some other acts in force in this commonwealth, it shall not be lawful to catch or kill fish by means of any net or device in the nature thereof, the meshes or open spaces in which shall be less than three inches, under a penalty of twenty-five dollars: *Provided*, That nothing herein shall authorize the catching of speckled trout by means of

any device, save only by hook and line, except for propagation and to stock other waters.

SECTION 26. No person shall catch any speckled trout, black bass or other fish, in any of the waters of this state, by shutting or drawing off any portion of said waters, or by dragging or drawing small nets or seines therein, when the waters shall be wholly or in part drawn off, except by order of the state fishery commissioners, under a penalty of twenty-five dollars for each offence.

Fishing by drawing off waters prohibited.

SECTION 27. Any person may sell, or have in his or her possession, any pinnated grouse, commonly called prairie chicken, ruffed grouse, commonly called pheasant, and quail or Virginia partridge, for a period of fifteen days (15) after the time limited for killing the same has expired, and shall not be liable to any penalty under this act: *Provided*, He or she shall prove that such birds were killed within the period allowed by this act, or were killed outside the limits of this state at some place where the law did not forbid the killing of the same.

Limitation of 15 days for sale of pheasant, &c.

SECTION 28. In all prosecutions against common carriers, under this act, it shall be competent for them to show that the prohibited article came into possession in another state, or from beyond the United States, at some place where the law did not prohibit such possession; and such evidence shall be a valid defence to the prosecution.

When common carriers not liable.

SECTION 29. In all cases where the shooting of any game, or catching any fish, mentioned in this act, is entirely prohibited, until after a certain fixed term of years shall have expired, by special laws now in force in any county or counties of this state, nothing in this act shall be construed as to alter or invalidate said laws, or to justify or permit the shooting of such game, or catching of such fish, in said counties, at any time within the term of years during which the same is so prohibited.

Terms of special laws prohibiting fishing preserved.

SECTION 30. Any judge of the court of quarter sessions of the peace, or any alderman, justice of the peace, police or other magistrate, upon receiving sufficient proof by affidavit, that any of the provisions of this act have been violated by any person, being temporarily within his jurisdiction, but not residing there permanently, or by any person whose name and residence are unknown, is hereby authorized and required to issue his warrant for the arrest of such person, and to cause him to be committed, or held to bail, to answer the charge against him; and any such justice or magistrate upon receiving proof of probable cause for believing in the concealment of any game or fish, mentioned in this act, during any of the periods prohibited, shall issue his search warrant and cause search to be made in any house, market, boat, car or other building; all courts of quarter sessions are hereby invested with jurisdiction, to try and dispose of all and any of the offences against the provisions of this act, occurring in the same county.

When warrant of arrest may issue.

When search warrant.

Courts of quarter sessions to have jurisdiction for offences.

SECTION 31. It shall be and is hereby made the duty of the several mayors and burgesses of the several cities, towns and boroughs within this commonwealth to require their respec-

Duties of mayors and burgesses.

Officer arresting may be a witness.	<p>tive police or constabulary force, and it is hereby made their duty, as it is also hereby made the duty of the several clerks of market of said cities, towns and boroughs, to diligently search out and arrest as for a misdemeanor all persons violating the provisions of this act, by having any game or fish mentioned therein unlawfully in their possession, or vending the same during any of the periods prohibited in this act, within such cities, towns or boroughs; and all persons so arrested shall be taken before the mayor, burgess, or any police or other magistrate of said cities, towns or boroughs in which the arrest is made, who shall proceed to hear and determine as to the truth of the offence charged on the oath or affirmation of one or more witnesses to the same: <i>Provided</i>, That the officer making the arrest shall be a competent witness; and if the person or persons so arrested shall be found guilty, he, she or they, shall be convicted of a misdemeanor, and sentenced to pay the fine or fines, penalty or penalties imposed by this act, for having such game or fish unlawfully in possession, or vending the same during any of the periods prohibited therein, together with the costs; one half of said penalty shall go to the person informing, and the other half shall be forthwith paid to the treasurer of the county or city in which the offence was committed, and in default of payment as aforesaid, the offender shall be committed to the common jail of the proper county for the term of not less than one day for each dollar of penalty imposed: <i>Provided</i>, That said conviction shall be had within six months after committing the offence: <i>And provided further</i>, That the defendant may on refusing to pay said penalty enter into a recognizance with one or more sufficient sureties to answer said complaint on a charge of misdemeanor before the court of quarter sessions of the peace of the county in which the offence is committed, which court on conviction of the defendant of the offence charged and failure to pay the penalty or penalties imposed by this act, together with costs, shall commit said defendant to the common jail of the county for a period of not less than one day for each dollar of penalty imposed: <i>Provided further</i>, That nothing in this section shall prevent any person or persons other than those particularly mentioned in this section, and having a knowledge of the violation of the provisions therein mentioned, from laying information of the same, and proceeding to recover the penalty or penalties therefor, in the manner prescribed in the following section, who shall also be a competent witness on the trial of the case.</p>
Informer entitled to one-half of the penalty.	
Imprisonment on default of payment. Limitation of conviction. Defendant may give bail to answer before quarter sessions.	
Any person may inform.	
General provisions.	<p>SECTION 32. Any person or persons violating any of the provisions of this act, (such violations not being separately and particularly provided for in other sections of said act,) shall forfeit and pay the penalty or penalties attached to the same; and it shall be the duty of any constable having knowledge of such violation to make complaint thereof to the nearest justice of the peace of the proper county, and any other person having such knowledge may enter complaint before such justice; and the said justice shall forthwith issue his warrant for the arrest of the offender, and upon such</p>
Duty of constables.	
Duty of justices.	

offender being brought before him shall proceed and hear and determine as to the truth of the offence charged on the oath or affirmation of one or more witnesses to the same:

Provided, That the person making the complaint shall be a competent witness; and if the person or persons so arrested shall be found guilty, he or she, or they, shall be convicted of a misdemeanor, and sentenced to pay the fine or fines, penalty or penalties attached to such violation, together with costs, one half of which penalty shall go to the informer, and the remaining one half shall be forthwith paid over to the treasurer of the county in which the offence was committed, and on default of payment the offender shall be committed to the common jail of the proper county for the term of not less than one day for each dollar of penalty imposed: *Provided*, That said conviction shall be had within six months from the time of committing the offence: *And provided further*, That the defendant may on refusing to pay said penalty enter into a recognizance with one or more sufficient sureties to answer said complaint on a charge for misdemeanor before the court of quarter sessions of the peace of the county in which the offence is committed, which court on conviction of the defendant of the offence charged and failure to pay the penalty or penalties imposed by this act, together with costs, shall commit said defendant to the common jail of the county for a period of not less than one day for each dollar of penalty imposed.

Rights of informers.

Limitation of conviction.

Defendant may give bail to appear at quarter sessions.

Imprisonment in default of payment.

SECTION 33. Whenever any officer, constable or other person, making complaint of the violation of any of the provisions of this act, shall fail to recover the penalty or penalties therein mentioned, in any prosecution or suit commenced by him or them, pursuant to the foregoing sections of this act, the costs of suit incurred by him or them shall be a charge upon the proper county, and shall be audited and allowed as other county charges are audited and allowed.

When the penalty cannot be recovered, the cost of officer or informer to be paid by county.

SECTION 34. In all cases not separately and particularly provided for in other sections of this act, wherever the penalty or penalties mentioned in said act exceed in amount the jurisdiction of aldermen or justices of the peace, it shall be the duty of the district attorney for the county where the offence is committed, to commence actions for the recovery of such penalties, upon receiving proper information thereof in the court of quarter sessions of the peace, or other court having jurisdiction in the proper county; and in all such actions brought by such district attorney, one-half the penalty recovered shall belong to the person laying information on which the action is brought, and the other half shall be paid to the treasurer of the county in which the offence is committed.

When the penalty exceeds justices' jurisdiction the district attorney to commence actions.

Rights of the informer.

SECTION 35. All actions for violation of the provisions of this act, except where otherwise therein directed, shall be brought within six months from the time such violation was committed.

Limitation of actions.

SECTION 36. Nothing in this act shall be so construed as to prevent any person, in any part of this state, from catching

Saving clause, waters owned by individuals.

speckled trout or black bass with nets, in waters owned by himself, for the purpose of stocking other waters,

Saving clause,
scientific purposes.

SECTION 37. Nothing in this act shall be so construed as to prevent the catching of bait fish, by means of hand nets or cast nets, for angling or scientific purposes.

Repeal.

SECTION 38. All act or parts of acts which are inconsistent with this act are hereby repealed.

APPROVED—The 1st day of May, A. D. 1873.

J. F. HARTRANFT.

No. 62.

A Further Supplement

To an act to authorize the erection of a poor house in the county of Venango, approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy, and to provide further for the management of the county work-house.

County commis-
sioners may make
rules for work-
house.

SECTION 1. *Be it enacted, &c.,* That the county commissioners of said county are hereby empowered to make such by-laws, rules and regulations for said county work-house, not inconsistent with the constitution or laws of the United States or of this commonwealth, as they may deem necessary and proper for the public welfare and the best interests of the institution and its inmates.

Persons committed
to be employed.

SECTION 2. That every person committed to said house, not disqualified by sickness or otherwise, shall be kept at some useful employment, such as may be best suited to his or her age and capacity, and such as shall be most profitable to the institution, and tend to promote the best interests of the party; and if any person shall refuse to perform the work assigned to him or her, or be guilty of other acts of insubordination, it shall be the duty of the steward to punish such person, by close confinement on a diet of bread and water only, or in such other manner as the rules and regulations hereinbefore provided for may prescribe; of which refusal and punishment the superintendant shall keep a record, and report to the county commissioners.

Refusal to perform
work to be pun-
ished.

Record to be kept,
and report made.

Penalty for escap-
ing or attempting
to escape.

SECTION 3. Every person lawfully committed to said work-house, who shall escape from or break said work-house with intent to escape therefrom, or who shall attempt by any force or violence, or in any other manner, to escape from said work-house, whether such escape be effected or not, shall, upon conviction thereof, be punished by confinement in said work-house, or in the jail of said county, at the discretion of the court, for a term not exceeding double the term for which he or she was so sentenced, to commence from and after the expiration of his or her former sentence.

SECTION 4. It shall be lawful for the steward of said work-house to employ and permit the use of weapons by the keepers on guard of the prisoners, to put down insurrection by force, and to prevent escapes at all hazards from said work-house.

Steward may permit use of weapons.

SECTION 5. The steward of said work-house shall cause to be kept a record of each and all infractions of the rules and discipline of said work-house, with the name or names of the convict or convicts offending, and the date and character of each offence; and every convict sentenced for six months or a longer term, shall be entitled to a reduction of three days per month from his or her sentence for each month they shall continue to obey all the rules of said work-house; the steward may, however, at his discretion, annul all the credits thus obtained, if, in his opinion, any prisoner or prisoners forfeited the benefit of this section by subsequent bad conduct.

Record of infractions of rules to be kept.

Reduction of sentence for good conduct.

Steward may annul credits.

SECTION 6. When any person or persons shall be convicted in any court, or before any justice of the peace or other magistrate in said county, of any offence, the punishment whereof by law, is or may be imprisonment in the county jail, said court, justice of the peace or other magistrate may sentence such person or persons, when for a term not less than ten days, to said jail, or said county work-house, at discretion; upon the application of the steward of said work-house, upon cause shown, the court of quarter sessions may order removal of any inmate to the county jail, for the unexpired portion of his or her term of commitment, or to the poor house, or to a lunatic asylum, as circumstances may require.

How persons convicted of certain offences may be sentenced.

Court may order removal of inmates.

SECTION 7. That the visitors appointed by the court of quarter sessions, under the fifth section of the act to which this is a supplement, shall make report to said court, at each term, of the condition of said work-house and its inmates; and thereupon, if cause appear, the said court shall make summary inquiry concerning the conduct and fitness for his duties of said steward, or any other officer or employee, and if cause appear, may dismiss said steward or other officer or employee from office, and the vacancy shall be supplied forthwith by the county commissioners; the costs of said inquiry to be paid by the county, or the officer, as the court may order; said visitors shall be appointed, after the present year, at the first term of each year, and continue in office till their successors shall be appointed; and the court may, from time to time, fill vacancies for the unexpired term of any visitor who shall resign or cease to act for other causes.

Visitors to report to court.

Court to inquire into conduct of officers, and may dismiss them.

How vacancies to be supplied and costs paid.

When visitors to be appointed, and how long to continue.

Vacancies in visitors.

SECTION 8. In all cases where any person may be confined in the county work-house of said county, by the sentence or order of any court, until he or she return any stolen goods or chattels, or pay the value thereof, in which any person may be confined for the non-payment of any fine or of the costs of prosecution, shall have power to discharge such person from such confinement, on his making application and complying with the provisions hereinbefore directed in the case of insolvent debtors: *Provided*, That when such person shall have been confined for non-payment of any fine, he or she

Discharges under insolvent laws.

shall not be entitled to make such application until he or she shall have been in actual confinement, in pursuance of said sentence, for the period of thirty days, and in the other cases above recited, until they shall have been confined, in pursuance of said sentence, for the period of fifteen days.

Repeal.

SECTION 9. All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 22d day of January, A. D. 1873.

J. F. HARTRANFT.

No. 63.

An Act

Authorizing the burgess and town council of Wellsboro', in the county of Tioga, to levy taxes, borrow money and regulating the election of borough council.

Tax on trades, professions, &c.

SECTION 1. *Be it enacted, &c.*, That hereafter the tax levied by the burgess and council of the borough of Wellsboro', in the county of Tioga, for borough purposes, on trades, professions and occupations, or on single freemen, shall, in no case, be less than one dollar.

Tax of one and one half cents on valuation, authorized.

SECTION 2. That the aforesaid burgess and council are hereby authorized and empowered to levy and collect annually, for borough purposes, any tax not exceeding one and a-half cents on the dollar of the valuation assessed for county purposes, as now is or may be hereafter provided by law.

Election of councilmen regulated.

SECTION 3. That at the next annual election for borough officers in the said borough of Wellsboro', three persons shall be elected to serve as borough council, and three of the present council shall retire from the board, to wit: the two who were elected at the borough election of one thousand eight hundred and seventy-one, and one of the four, as may be determined by lot or otherwise, who was chosen at the election of one thousand eight hundred and seventy-two; and that hereafter the council of said borough shall consist of six persons, three of whom shall be elected annually to serve for a period of two years.

Burgess and councilmen may borrow money and issue certificates.

SECTION 4. That the said burgess and council of the borough of Wellsboro' are hereby authorized and empowered to borrow money, for the use of the borough, not exceeding in the whole one dollar in every hundred dollars of the assessed value of the real and personal estate of the borough, as assessed for county purposes, and to issue certificates therefor, bearing interest not exceeding ten per centum per annum: *Provided*, That the same shall not be disposed of at less than par value: *And provided further*, That the said bonds shall be exempt from taxation, except for state purposes.

Exempt from local taxation.

APPROVED—The 23d day of January, A. D. 1873.

J. F. HARTRANFT.

No. 64.

An Act

To incorporate the Evening Telegraph Publishing Company of Pittsburg.

- SECTION 1.** *Be it enacted, &c.,* That H. B. Swoope, William M. Lyon, Henry Lloyd, Joseph Dillworth, C. H. Armstrong, J. M'C. Creighton, Robert Dickson, George W. M'Clure, A. Filson Dalzell, W. Phillips, Charles W. Batchelor, William Thaw, Jared M. Brush, Springer Harbaugh, J. H. Jones, D. H. Stewart, James Verner, Joseph Walton, William H. Brown and John Scott, and such others as may be associated with them, are hereby constituted a body corporate by the name, style and title of the Evening Telegraph Publishing Company, to be located in the city of Pittsburg, and as such shall have power to hold land and real estate, erect thereon such buildings, etcetera, as may be necessary to prosecute the newspaper, publishing, stereotyping, electrotyping, engraving, paper, stationery and printing business, to sell and convey their real estate, and to purchase, hold and sell such personal property as may be necessary to prosecute the objects of the corporation. The capital stock of said company shall be sixty thousand dollars, divided into shares of one hundred dollars each, with authority to increase the same to two hundred and fifty thousand dollars, in such manner as the directors shall determine: *Provided*, That the holders of three-fourths of the stock shall give their consent to such change.
- SECTION 2.** That the affairs of said company shall be managed by a board of seven directors, from whom shall be elected by the board, a president, a secretary and a treasurer. The directors shall be elected annually on the second Tuesday in September, and on ten days public notice being given; all elections shall be by ballot, and each share shall be entitled to one vote; a majority of directors shall be a quorum to transact business; and in case of a failure to elect, the directors shall continue in office until a new election is held; and in case of a vacancy occurring in the board of directors from any cause, the remaining directors shall fill such vacancies until the next annual election.
- SECTION 3.** That the said corporation shall have authority to make and use a common seal, sue and be sued, plead and be impleaded in any court of this commonwealth or elsewhere, and to make all by-laws, rules and regulations, and appoint all agents necessary to carry on the business of the corporation.
- SECTION 4.** That the stock of said company may be transferred agreeably to the by-laws, and that dividends may be declared and paid on all profits realized; but if the directors shall make a dividend of more than the actual profits earned, the directors consenting thereto shall be individually liable for the excess so paid.

Corporators.

Title.

Powers and privileges.

Capital stock.

Directors.

Election.

Quorum.

Failure to elect.

Vacancies.

Further privileges

Transfers of stock.

Dividends.

Bonus, and tax on dividends.

SECTION 5. That the said company shall pay into the state treasury a bonus of one-half of one per centum on the paid up stock, in four equal annual instalments, and such tax on dividends as is now or may be required by law.

Charter.

SECTION 6. That the charter of said company, and all the powers, rights and privileges hereby granted to them, shall continue until altered, revoked or annulled according to law by the general assembly of this commonwealth, any limitation under existing laws to the contrary notwithstanding.

May issue and sell bonds.

SECTION 7. That the said corporation may issue bonds and sell the same, at their market value, notwithstanding it may be less than par, which bonds may be secured by mortgage of the real estate and franchises of the company; but no bonds shall be issued for a less amount than one hundred dollars.

Letters patent.

SECTION 8. That whenever the proceedings heretofore required to organize the new corporation have been completed, the same shall be certified to the governor of the commonwealth, who is thereupon to issue letters patent certifying the complete organization of the said corporation.

APPROVED—The 24th day of January, A. D. 1873.

J. F. HARTRANFT.

No. 65.

An Act

Authorizing the town council of the borough of Carlisle to establish a board of health.

Council to appoint board of health.

SECTION 1. *Be it enacted, &c.,* That the town council of the borough of Carlisle shall, within three months after the passage of this act, and at their first regular meeting in each year thereafter, appoint a board of health for said borough, to consist of five members, a majority of whom shall constitute a quorum; and the persons so appointed shall serve for one year, and until the successors are appointed and duly qualified, and before entering upon the duties of their office, they shall be sworn or affirmed to perform the same with fidelity; that the said board of health shall organize by the election of one of their number as president, and another as secretary; that said board of health shall meet at least once in each month, and shall sit upon their own adjournment as they may deem necessary, and the president or secretary may call special meetings whenever they deem it expedient to do so.

Quorum.

Terms of office.

To be sworn.

Organization.

Meetings.

Powers and duties of board.

SECTION 2. That said board of health shall have power, and it shall be their duty, to make all needful regulations to prevent the introduction and spread of contagious or infectious diseases, by the apprehension, separation and treatment of infected persons, and those who shall have been exposed to any

infectious or contagious diseases; to abate and remove all nuisances or causes which they shall deem prejudicial to the health of the said borough; to provide and fit up within, or outside of the borough limits, such public hospitals as may be necessary; and the said board of health is hereby empowered to make such rules, orders and regulations as may be deemed proper for the controlling government and management of the said hospitals, and appoint such physicians, officers and servants as may be necessary to attend the same, and to appoint a health officer to visit and examine all sick persons who shall be reported to him, or to the said board of health, as laboring or supposed to be laboring under any infectious or pestilential disease, and under the advice of such board of health, and the attending physician, if any, cause all such persons as is deemed proper by board of health to be removed to such one of said hospitals as is deemed proper, and cause them to be provided with suitable nurses, physicians and all needful attendance at their own expense, if they are able to pay for the same, but if not, at the expense of the county of Cumberland: *Provided*, That the patients be kept in the hospital of the county.

SECTION 3. The said board of health shall publish, from time to time, all such regulations and orders as they shall have adopted, in such manner as to secure early and full publicity thereto; they shall employ all such persons as shall be necessary to enable them to carry into full effect the provisions of this act, and the regulations and orders they shall adopt, and fix the compensation of the persons so employed by them; and the expenses incurred by them, in the execution and performance of their duties, shall be chargeable on the county of Cumberland, the commissioners of which shall make provisions for paying the same when audited and adjusted by the said board of health, and presented to the said commissioners: *Provided*, That the board of health shall make no charge for their services against the county.

To publish regulations and orders.

To employ persons and fix their compensation.

Expenses to be paid by county.

SECTION 4. Every person who shall violate the provisions of this act, or violate or refuse, or neglect to obey any order or regulation made and published by the said board of health in pursuance of the powers conferred upon them by this act, shall forfeit and pay a penalty not less than five nor more than one hundred dollars, to be recovered in the name of the said county of Cumberland, to be sued for and recovered as debts of like amount are now by law recoverable, and paid into the treasury of said county: *Provided*, That any and every person who shall violate the provisions of this act, or violate, or refuse, or neglect to obey any order or regulation made and published by said board of health, be deemed guilty of a misdemeanor, and on conviction thereof before the court of quarter sessions of the peace of said county of Cumberland, shall be subject to a fine not exceeding five hundred dollars, and imprisonment not exceeding one year or both, or either, in the discretion of said court: *Provided further*, That out one of said proceedings shall be had against any one person for the same offence.

Penalties for violating act or orders of board.

Present board to continue until new one is appointed.

SECTION 5. The board of health appointed by the town council of the said borough of Carlisle, and now acting, shall continue in existence with all the powers conferred by the provisions of this act until a new board is appointed and qualified under the provisions of this act.

APPROVED—The 28th day of January, A. D. 1873.

J. F. HARTRANFT.

No. 66.

An Act

To authorize the trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian church in the United States of America, to transfer the property held by them to the Board of Home Missions of the Presbyterian church in the United States of America, and to declare the latter corporation to be the legal successor of the former.

WHEREAS, The two religious bodies, heretofore existing, each under the name of General Assembly of the Presbyterian church in the United States of America, have united the congregations under their care; and the General Assembly of the church thus united, which met in Philadelphia on the nineteenth day of May, eighteen hundred and seventy, and which is the legal successor of both the former bodies, has directed that the home missionary work, previously carried on under the direction of the said two bodies, shall be hereafter carried on under its direction by one board:

And whereas, The Legislature of the State of New York has, for the purposes aforesaid, incorporated the Board of Home Missions of the Presbyterian church in the United States of America; therefore,

SECTION 1. *Be it enacted, &c.,* That the trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian church in the United States of America, be and they are hereby authorized to grant, assign, transfer, convey and deliver all property, estates and rights, real, personal and mixed, of every kind and description, now held or enjoyed by them, and which may hereafter be received, held or enjoyed by them in any manner whatsoever, unto the said the Board of Home Missions of the Presbyterian church in the United States of America, which corporation is hereby declared to be the legal successor of the said the trustees of the board of Domestic Missions of the General Assembly of the Presbyterian church in the United States of America, and shall have, hold, use and enjoy all the corporate powers, franchises and privileges of the said corporation last named, and all the property, estates

and rights which shall be so granted, assigned, transferred, conveyed and delivered, in the same manner and to the same extent as the said corporation last named might have done, (including the power to convey, assign and transfer the same,) and shall be entitled to receive, sue for and recover all legacies, devises, bequests and property which have heretofore been or may hereafter be made, given or granted to the said corporation last named: *Provided however*, And it is hereby expressly declared that the said the Board of Home Missions of the Presbyterian church in the United States of America, shall receive and hold the said property and estates, or the proceeds thereof, if sold, upon the same trusts and for the same uses and purposes only, as the same are or otherwise would be held by the said trustees of the Board of Domestic Missions of the General Assembly of the Presbyterian church in the United States of America; and it is hereby further provided and declared that all grants, conveyances, devises and bequests which shall be made, or purport to be made, to the said corporation last named, shall be deemed and taken to be made to the said the Board of Home Missions of the Presbyterian church in the United States of America, with the same effect as if made directly thereto.

APPROVED—The 29th day of January, A. D. 1873.

J. F. HARTRANFT.

No. 67.

An Act

Relating to the office of notary public in the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the true intent and meaning of the act of Assembly, entitled "An Act to incorporate the city of Philadelphia," approved the second day of February, Anno Domini one thousand eight hundred and fifty-four, is not to prevent any member of the select and common council of the city of Philadelphia from holding, at the same time, the office of notary public.

Councilmen may hold office of notary public.

SECTION 2. That the holding of the office of notary public shall not be incompatible with holding, at the same time, the office of member of either branch of the councils of the city of Philadelphia; and no member of the present councils of said city shall be held to be disqualified on account of the holding or having held, at the same time, the office of notary public, nor shall he be removed from the office of member of councils by reason of any such qualification.

Present councilmen not disqualified on account of holding such office.

APPROVED—The 29th day of January, A. D. 1873.

J. F. HARTRANFT.

No. 68.

A Further Supplement

To an act to incorporate the Philadelphia and Montgomery County Railroad Company, approved April second, Anno Domini one thousand eight hundred and sixty, to change the name of said company, and to authorize the extension of its lines and the increase of its capital stock and bonds.

SECTION 1. *Be it enacted, &c.,* That the name of the Philadelphia and Newtown Railroad Company shall be and is hereby changed to the Philadelphia, Newtown and New York Railroad Company, and said company is hereby authorized and empowered to extend and construct its line of railroad to such point on the Delaware river as will afford a convenient point of connection with the Mercer and Somerset railroad, in the state of New Jersey, by a bridge; and also to extend said line to the borough of New Hope, in Bucks county, or to any other point in the counties of Bucks or Northampton counties; and said company shall have authority to issue mortgage or income bonds to such amount as the directors of said company may deem necessary to complete and equip said railroad, and to secure the said bonds or any portion of the same by first, or second, or general mortgage or mortgages of the franchise and property, real and personal, acquired and to be acquired by said company; said bonds may be issued in such form as said company may determine, but they shall not bear more than seven per centum interest, and no bond shall be issued of a smaller denomination than one hundred dollars, and the capital stock of said company may be increased by the board of directors to an amount not exceeding three millions of dollars.

APPROVED—The 29th day of January, A. D. 1873.

J. F. HARTRANFT.

No. 69.

A Further Supplement

To an act providing for the introduction of water into the borough of Lebanon, approved April fifteenth, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted, &c.,* That the burgess and council of the borough of Lebanon, in the county of Lebanon, be and they are hereby authorized and empowered to borrow, in ad-

dition to the two hundred thousand dollars authorized to be borrowed by the act to which this is a further supplement, a sum of money not exceeding in the whole fifty thousand dollars, for the purpose of paying off the indebtedness incurred by building and erecting the water works of said borough, and for the extension of water mains in said borough, on the faith and credit of said borough, and to issue bonds or certificates of indebtedness therefor, in the mode and manner, and pursuant to the directions prescribed in the first section of the act of April fifteenth, Anno Domini one thousand eight hundred and sixty-nine, to which this is a further supplement, and at a rate of interest not exceeding seven per centem per annum: *Provided*, The bonds so issued, under the original act as well as under this further supplement, shall be subject to taxation for state purposes only, and all laws or parts of laws in conflict herewith are hereby repealed.

APPROVED—The 29th day of January, A. D. 1873.

J. F. HARTRANFT.

No. 70.

An Act

To enable the borough of St. Mary's to vote with the rest of Elk county on the question of license.

SECTION 1. *Be it enacted, &c.*, That the qualified electors of the borough of St. Mary's, in the county of Elk, be and they are hereby authorized to vote at the usual place of holding elections therein, on the eleventh day of February, one thousand eight hundred and seventy-three, under the provisions of the general law, entitled "An Act to permit the voters of this commonwealth to vote every three years on the question of granting licenses to sell intoxicating liquors," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and seventy-two, upon the question of granting licenses in Elk county; and the said election shall be held by the same officers who hold the corporate or municipal elections in said borough under like provisions, penalties and restrictions; and the returns of said elections shall be made to the same place, in the same manner, and counted with the returns of the rest of the county of Elk voting upon that question on the said eleventh day of February, one thousand eight hundred and seventy-three, as fully to all intents and purposes, as if by existing laws the municipal elections in the said borough were fixed upon said day.

APPROVED—The 31st day of January, A. D. 1873.

J. F. HARTRANFT.

No. 71.

An Act

To authorize the town council of the borough of Sunbury to borrow money.

May borrow money
and issue bonds.

SECTION 1. *Be it enacted, &c.,* That for the purpose of funding and consolidating the whole outstanding debt of the borough of Sunbury, of whatever nature it may be, the town council of said borough or their successors, are hereby authorized and empowered to borrow any sum or sums, not exceeding in the aggregate thirty-five thousand dollars, and may issue coupon bonds therefor in the corporate name of the borough, payable ten years after date, with seven per centum interest, payable semi-annually; said coupon to be receivable at par in payment of all taxes laid by said town council; said bond shall not be taxable for borough purposes, and shall be signed by the chief burgess, sealed with the borough seal and attested by the town clerk.

Exempt from bor-
ough tax.

Repeal.

SECTION 2. That all former acts or parts of acts, authorizing the town council of the borough of Sunbury to borrow money, be and the same are hereby repealed.

APPROVED—The 31st day of January, A. D. 1873.

J. F. HARTRANFT.

No. 72.

A Further Supplement

To the charter of the municipal corporation of the city of Reading.

Additional alder-
man to be elected.

SECTION 1. *Be it enacted, &c.,* That one additional alderman shall be elected, at the general municipal election of the city of Reading, to be held Friday, February fourteenth, one thousand eight hundred and seventy-three, by the qualified voters of the second district for the election of aldermen in said city, comprising the Sixth, Seventh, Eighth and Ninth wards of said city, whose residence and office shall be in the Eighth or Ninth ward of said city; the said additional alderman to be voted in the same manner, to be commissioned in like manner and for a like period of time, to have the like jurisdiction, rights, privileges and powers, and to be subject to like duties, liabilities and penalties as are now provided for by the laws of this commonwealth, in the case of aldermen of the said city of Reading: *Provided, That five days'*

notice by proclamation of mayor of said city, that such additional alderman is to be voted for, and of the time and place of such election, and of all other notice required in such cases, shall be sufficient for the election to be held in the said district with respect to said additional alderman, so far as regards the election to be held on Friday, February fourteenth, one thousand eight hundred and seventy-three aforesaid: *Provided*, That the place and time of holding said election be as now regulated by law.

SECTION 2. That the provisions of the laws of this commonwealth not inconsistent herewith, regulating and pertaining to the election of aldermen of the city of Reading aforesaid, be and are hereby made applicable to the election of said additional alderman; and all vacancies in said office of additional alderman, whether by death, expiration of term, or otherwise, shall be filled as is now provided for, in the charter of said city, to which this is a supplement.

Existing laws applicable to such election.

How vacancies to be filled.

APPROVED—The 31st day of January, A. D. 1873.

J. F. HARTRANFT.

No. 73.

An Act

To fix the day of holding the election for the borough of Kittanning, in the county of Armstrong, under the provisions of the act of assembly, entitled "An Act to permit the voters of this commonwealth to vote every three years on the question of granting licenses to sell intoxicating liquors," approved the twenty-seventh day of March, in the year of our Lord one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the qualified voters of the borough of Kittanning, in the county of Armstrong, shall, on the Friday preceding the first Monday of March, in the year of our Lord one thousand eight hundred and seventy-three, and tri-annually thereafter, at the usual place of holding their elections, vote upon the question of license or no license, in pursuance of the provisions of an act of the general assembly, entitled "An Act to permit the voters of this commonwealth to vote every three years on the question of granting license to sell intoxicating liquors," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and seventy-two.

APPROVED—The 31st day of January, A. D. 1873.

J. F. HARTRANFT.

No. 74.

An Act

To erect into a corporation the members of the Union Regular Baptist church of Pittsburg and the First Baptist church and congregation of the city of Pittsburg, who have signed the articles of union or consolidation between the said corporations, and to provide for the dissolution of the latter.

Preamble.

WHEREAS, The Union Regular Baptist church of Pittsburg, and the First Baptist church and congregation of the city of Pittsburg, desire to effect the consolidation of the two bodies upon the basis of an agreement made between them October tenth, one thousand eight hundred and seventy-two, and signed by the trustees and by a majority of the members of both churches :

And whereas, An enlargement of their powers with respect to the disposition of their property and provision for their final dissolution, as well as the erection of a new corporation out of the membership of the other, are essential to secure the object in view ; therefore,

Incorporation.

SECTION 1. *Be it enacted, &c.*, That the persons who have signed the agreement above mentioned, or who shall hereafter sign the same, adopting the Philadelphia confession of faith and rules of order as edited by J. Newton Brown, and published by the American Baptist Publication Society, and the covenant now in use, by the said Union Regular Baptist church, shall be and they are hereby constituted a body politic and corporate by the name of the Fourth Avenue Regular Baptist church of Pittsburg, and by the same name shall have perpetual succession, and sue and be sued in all courts of law or equity in the United States or elsewhere, and shall be able and capable to take and hold the house of worship of the said, the First Baptist church and congregation of the city of Pittsburg, together with all property, real or personal, which may hereafter be given or granted to this corporation, and to sell and dispose of the same agreeably to the provisions of this act, but until otherwise provided, the annual rental or income of the property held by this corporation, pursuant hereto, shall not exceed the sum of ten thousand dollars.

Income limited.

Trustees.

SECTION 2. The property of this corporation shall be held and its secular business transacted by a board of nine trustees, all but two of whom shall be communicants, and they shall hold and manage the said property exclusively to promote the objects of religious worship and other benevolent and pious enterprises, agreeably to the will of a majority of the communicant members.

Election.

SECTION 3. The said trustees shall be elected by the majority of the voters present at an annual meeting of those constituting the membership of this corporation under the provisions of this act, to be held on the second Tuesday of No-

member of each year, notice of the time and place of such meeting having been publicly given in the house of worship of this corporation on at least two Lord's days next preceeding, and all communicants shall be entitled to a vote at such election; the trustees so elected shall hold their office for one year, or until others are chosen, and shall have power to fill vacancies occasioned by death, removal or otherwise; and until others are elected pursuant to this act, the following persons shall constitute the board of trustees, namely: William A. Emson, James Lippincott, William Hutchinson, Levi Dillow, I. P. Estep, Benjamin L. Fahnestock, William E. Lincoln, Calvin King and B. F. Wilson.

Terms of office.

Vacancies.

Board constituted.

SECTION 4. The board of trustees shall proceed, after each election, to choose from their own number a president and secretary, and from the corporation at large, a treasurer, who shall be required to give sufficient security for the faithful discharge of his duties, unless the board waives this requirement; and at each annual meeting a faithful report of the proceedings of the board during the past year, and of the affairs and finances of the corporation shall be submitted; and the books of the board shall be accessible at all times to any member of the corporation for inspection.

President, secretary and treasurer.

Report of proceedings.

Books to be accessible to members.

SECTION 5. Special meetings of this corporation may be called at any time by the president, either of his own option or at the request of at least two members of the board, public notice thereof being given one Lord's day next preceeding.

Special meetings.

SECTION 6. It shall be competent for this corporation, by a vote of its communicant members, to adopt either the pew system or that of voluntary contributions for the support of the church; if the pew system shall be preferred, the said trustees shall have power to rent the pews in the house of worship at any time belonging to this corporation; the annual rental thereof to be applied as the said trustees may direct.

May adopt pew system or voluntary contributions.

SECTION 7. The trustees of this corporation shall have power to sell, transfer, mortgage or in any way encumber the property thereof, with and by the written consent of a majority of the communicant members first had and obtained; and also under the sanction of an act or resolution authorizing such sale, transfer or incumbrance, passed by a majority of those in attendance at a meeting duly called for this purpose, and of which the same notice shall be given as is hereinbefore prescribed in the case of an election of trustees.

Trustees may sell or encumber property.

SECTION 8. This corporation may adopt and have a common seal with a suitable device thereon, selected by its board of trustees, and may at any annual meeting for choice of directors, pass such by-laws as may be deemed useful and proper to facilitate the objects of its creation, not repugnant to this act, or to the state or federal constitution or laws.

May adopt seal and pass by-laws.

SECTION 9. The trustees of the said Union Regular Baptist church, shall be and they are hereby authorized and empowered to sell in fee simple, with and by the written consent of a majority of its communicant members, all the property belonging to it for the best price that can be gotten for the same, (without any obligation on the purchaser to see to the

Trustees of Union church authorized to sell property.

application of the purchase money,) at either public or private sale, and either for cash or on such other terms with respect to the payment of the purchase money as may be agreed upon; the proceeds thereof, or so much as may be necessary, to be applied agreeably to the provisions of the articles of union of October tenth, A. D. one thousand eight hundred and seventy-two, hereinbefore mentioned.

Trustees of First Baptist church authorized to convey church.

SECTION 10. And the trustees of the said, the First Baptist church and congregation of the city of Pittsburg, shall be and they are hereby authorized and empowered to convey and transfer, pursuant to the said articles of union, its present church edifice or house of worship, including all of its ground abutting on Fourth avenue and Ross street, in the said city of Pittsburg, to the said, the Fourth Avenue Regular Baptist church of Pittsburg, and its successors, in fee simple.

After sales made, corporations to be dissolved.

SECTION 11. After the sales and transfers contemplated by this act shall have been consummated, and all the debts of the said corporation hereinbefore first named, shall have been paid, they the said corporations to wit: The Union Regular Baptist church, and the First Baptist church and congregation of the city of Pittsburg, shall cease to exist as corporate bodies, and be thenceforth dissolved as fully and effectually as if a petition for that purpose had been presented in the proper court of this commonwealth, and a decree in pursuance thereof obtained under the act of assembly, approved April ninth, A. D. one thousand eight hundred and fifty-six.

APPROVED—The 31st day of January, A. D. 1873.

J. F. HARTRANFT.

No. 75.

An Act

To incorporate the Inquirer Printing and Publishing Company of the city of Lancaster.

Corporato

SECTION 1. *Be it enacted, &c.,* That J. P. Wickersham, Samuel Slokum, Amos H. Mylin, S. W. P. Boyd, Nathaniel Mayar, Jacob G. Peters, Philip D. Baker, John J. Cochran, John D. Skiles, Charles A. Heinitsch, I. P. M'Caskey, J. Kayler Snyder, William B. Wiley, Christian H. Nissley, Christian Cable, junior, Edward J. Zahm, Hugh M. North, S. M. Myers, John W. Jackson, Hayden H. Tshudy, J. W. Johnson, Robert J. Houston, Edward Brooks, William D. Stauffer, George K. Reed, John A. Shultz, J. C. Muhlenberg, John M. Stehman, D. K. Burkholder, J. Rohrer, John B. Devlin, Thomas B. Cochran, S. L. Kauffman and John B. Warfel, and their associates and successors, are hereby constituted a body

politic under the name, style and title of the Inquirer Printing and Publishing Company of the city of Lancaster, with a capital of fifty thousand dollars, to be divided into shares of the value of fifty dollars each, with the privilege to increase the same by a vote of the stockholders at an annual or special meeting, from time to time, to an amount not exceeding two hundred thousand dollars, and with authority to have and use a common seal, and the same to change at pleasure, and by the style and title aforesaid, shall be capable in law to sue and be sued, and the said association may make all needful rules, regulations and by-laws, for the management of the business of the corporation, and upon the filing, a duly proved certificate of the president and directors of said company, in the office of the secretary of the commonwealth, may change the name of said corporation. The affairs of the company shall be managed by a board of directors not exceeding seven, who shall choose one of their number president, and another secretary and treasurer; the first board of directors of said company shall be elected by a majority of the corporators, and said directors shall afterwards be elected annually at meetings of the stockholders called for the purpose; and at such elections each share of stock shall entitle the holder thereof to one vote, which may be cast either in person or by proxy.

Title.

Capital.

Seal.

Privileges.

Directors.

Elections.

Business.

SECTION 2. The business of the said association shall be confined to printing and publishing in all its branches, and the management of such real estate as they may purchase for the use of the said association; and the said association shall have power to issue bonds for the completion of improvements, at a rate of interest not exceeding seven per centum per annum, not exceeding in amount of principal, the amount of the capital stock of said company, and secure the same by mortgage on the real and personal property and franchises of the corporation: *Provided*, That said bonds shall not be issued for a less sum than one hundred dollars each, and shall be redeemable within twenty years.

May issue bonds.

Issue of certificates

SECTION 3. No certificate of stock shall be issued by said association until the full amount of the par value of the same shall be paid in cash, or in real or personal estate; and the directors shall declare dividends, annually or semi-annually, as the profits of the corporation shall warrant: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Dividends.

Bonus and taxes.

APPROVED—The 31st day of January, A. D. 1873.

J. F. HARTRANFT.

No. 76.

An Act

To repeal certain acts relating to the public printing for Juniata county.

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act relating to the publication of legal advertising in the county of Juniata," approved the seventh day of March, Anno Domini one thousand eight hundred and seventy-two, and also the act, entitled "An Act relating to public printing in the county of Juniata," approved the fifth day of April, Anno Domini one thousand eight hundred and sixty-seven, be and the same are hereby repealed.

APPROVED—The 31st day of January, A. D. 1873.

J. F. HARTRANFT.

No. 77.

An Act

To validate the sale of certain real estate of Henry Altman, deceased.

WHEREAS, On petition of Julia Ann Altman, widow of Henry Altman, late of Indiana county, deceased, the court of common pleas of said county, decreed the sale of certain real estate situate in the borough of Indiana, of which said deceased died seized, having previously devised by will to his said widow, during her widowhood, with remainder to his children :

And whereas, A portion of said real estate has been sold in pursuance of said order and an alias order has issued for the sale of the balance :

And whereas, It appears that the orphans' court, and not the common pleas of said county, had the jurisdiction to decree the sale of said real estate ; therefore,

SECTION 1. *Be it enacted, &c.*, That the sale of those lots of ground, situate in the borough of Indiana, Indiana county, and numbered in the plan of said borough, as lots number two hundred and forty-three, (243,) two hundred and forty-four, (244,) two hundred and forty-five, (245,) sold by A. L. M'Cluskey on the thirteenth day of November, Anno Domini one thousand eight hundred and seventy-two, as trustee under the order of the court of common pleas of the county aforesaid, to make sale of the real estate of Henry Altman, de-

ceased, be and the same is hereby made as good and valid, in law, for all intents and purposes, as if such sale had been had in pursuance of an order of the orphans' court of the county aforesaid; and the said A. L. M'Cluskey, trustee as aforesaid, is hereby authorized to proceed in pursuance of the alias order aforesaid, to make sale of the balance of the real estate of said deceased, and the sale, on such order, shall be good and valid to pass the title to the purchaser, as if the same had been made in pursuance of an order of the orphans' court of the county aforesaid.

APPROVED—The 31st day of January, A. D. 1873.

J. F. HARTRANFT.

No. 78.

An Act

To authorize the Westmoreland Agricultural Society to borrow money.

SECTION 1. *Be it enacted, &c.*, That the Westmoreland Agricultural Society be and are hereby authorized and empowered to borrow any sum of money, not exceeding ten thousand dollars, for any period not exceeding fifteen years, and at any rate of interest not exceeding seven per centum per annum and to issue their bonds therefor, upon such terms and conditions, secured by mortgage or otherwise, as they may deem expedient, and which loan shall be exempt from all taxation, except for state purposes.

APPROVED—The 4th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 79.

An Act

To incorporate the Merchants' Club of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That Pemberton S. Hutchi-
son, Henry Lewis, Thomas M'Kean, Joseph F. Tobias, Albert F. Damon, C. A. Griscom, Osgood Welsh, Rudolph Ellis, J. Hinckley Clark, John Mason, Jr., Beauveau Borie, C. Camblos, Jr., William Painter, A. J. Drexel, J. H. Dunn, D. B.

Cummins, Charles L. Borie, A. E. Borie, J. M. Rhodes, George C. Potts, J. Tucker, Jr., H. P. Borie, Thomas Smith, John S. Jenks, John Welsh, Jr., Frank L. Neall, John Welsh, Samuel Welsh, John Lober Welsh, H. P. M'Kean, H. P. Muirheid, Charles F. Shoener, W. W. Frazier, Jr., Charles C. Harrison, Edward J. Etting, James A. Wright, John S. Newbold, James M. Aertson, Ezra Bowen, C. H. Rogers, William Elliott, Frederick Collins, Henry Whelen, William R. Hart, Franklin B. Gowen, Edwin M. Lewis, Abraham Barker, Henry L. Gaw, Charles F. Cummings, Fielding L. Williams, F. A. Marsiley, Frank H. Clark, J. H. Michener, George B. Newtin, N. Parker Shortridge, George A. Heyl, S. Chew, F. A. Comly, Ellwood Wilson, Jr., Edward Lewis, J. B. Altimus, W. G. Warden, Henry J. Davis, R. H. Gratz, Hugh De Haven, A. H. De Haven, Lloyd P. Smith, W. C. Houston, Jr., B. K. Jamison, Joseph P. Sinnott, C. Witthoff, J. E. Addicks, S. J. Reeves, Moro Philips, George T. Lewis, Louis Snyder, James N. Whelen, George R. Wood, Robert B. Cabeen, C. R. Rogers, John C. Bullitt, R. Glendinning, Jr., D. C. Wharton Smith, William Brockie, Thomas A. Biddle, Gustavus English, William W. Justice, Thomas Sparks, E. M. Hopkins, John A. Brown, Jr., William T. Carter, W. H. Stevenson, George K. Ziegler, Lem'l Coffin, George S. Fox, Charles S. Lewis, Edwin N. Benson, William G. Boulton, William Welsh, William H. Jenks and their associates and successors, are hereby incorporated and made a body politic, in deed and in law, by the name, style and title of the Merchants' Club of Philadelphia, and by that name to have perpetual succession, to have a corporate seal, sue and be sued, implead and be impleaded, to take, hold, lease, mortgage, sell and dispose of real and personal estate, in the city of Philadelphia, and to have and enjoy all corporate powers necessary to carry into effect the object of their incorporation.

Title.

Privileges.

Capital stock

SECTION 2. The capital stock of the said corporation shall be the sum of fifty thousand dollars, divided into one hundred shares of five hundred dollars each, but the said corporation may at any time increase its capital stock to an amount, not exceeding one hundred thousand dollars, if the same be voted by a majority of the stockholders at a meeting of them called for the purpose, of which notice shall be given either personally to each stockholder, or by an advertisement in two daily newspapers published in the city of Philadelphia, once a week for four weeks immediately preceeding such meeting

Rights of stockholders.

SECTION 3. The ownership of stock, in the said corporation, shall not confer upon the person holding the same, any right whatever, except the right to receive a just share of any dividends that may be declared, and the right to attend meetings of the stockholders, and to vote therein, unless such stockholder shall at the same time be a member of said club in the manner hereafter provided.

Management of affairs.

SECTION 4. The affairs of the said corporation shall be managed and conducted by the following officers: a president, a vice president, a treasurer, a secretary and a board of twelve governors. Until an election shall be held, under this

act, the following persons shall compose the board of governors to wit: Henry Lewis, Thomas M'Kean, Henry P. Muirheid, J. Hinckley Clark, John Lober Welsh, William Broekie, Franklin A. Comly, Pemberton S. Hutchison, Rudolph Ellis, Beauveau Borie, Robert H. Gratz and Joseph F. Tobias. Four stockholders shall be elected annually, by the stockholders, to be members of the board of governors, and the term of office of the persons above named, shall expire in the order in which they are herein named; the term of the first named four expiring at the first election held hereunder, and the others in due order; should a vacancy occur in the said board, at any time, from death, resignation or otherwise, the said board may at any stated meeting elect a stockholder to fill said vacancy for the unexpired term; immediately after each annual election the said board shall meet and elect from among their own number the president, vice president, secretary and treasurer of the said corporation, and such other officers as they may deem necessary, who shall hold their offices respectively until their successors are elected; the term of office of each person elected by the stockholders a member of the board of governors, shall be three years.

Board of governors.

Vacancies.

Officers.

Terms of office.

SECTION 5. The person named in the first section of this act are hereby declared to be members of the said club; and the said corporation may admit other persons to become members of the said club upon such terms, conditions and regulations, with respect to notice, qualification, payments of fees and yearly dues, and in such manner as may be from time to time prescribed by the by-laws; it shall not be necessary that a person be a stockholder to qualify him to become a member, nor shall a stockholder be a member of said club, or have any right therein, except as provided in the third section of this act, unless he shall first be duly elected and qualified as a member thereof in accordance with the said by-laws.

Membership.

SECTION 6. The annual meeting of the stockholders, of the said corporation, shall be held on the first Monday of January in each year, at which the election of four stockholders to serve in the board of governors, shall be held; the hour and manner of holding said election, shall be fixed by the by-laws, and none but stockholders shall have a right to speak or vote therein.

Annual meeting of stockholders.

Election of members of board of governors.

SECTION 7. The said corporation shall have the power to make such by-laws for the government and management thereof, as they may think proper, so that the same be not inconsistent with this act, nor with the constitution and laws of this commonwealth or of the United States: *Provided*, That the said corporation may have the right to make by-laws authorizing the expulsion of any member of said club, either by a meeting of the stockholders or by the board of governors, for any conduct on his part which may in their judgment prove detrimental to the interests and welfare of the said club: *Provided*, That notice of an intention to move for his expulsion be first given such offending member, and that he shall have the right to be heard in his defence, before any vote on his expulsion be taken: *And provided*, That the said corporation shall have power to enact a by-law or by-laws, making the

By-laws

non-payment of the annual dues of members before a specified time, equivalent to a resignation of membership, without notice to the member so in the arrears.

SECTION 8. This act shall take effect immediately from its passage.

APPROVED—The 4th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 80

A Further Supplement

To an act to empower the town council of the borough of Bellefonte, in the county of Centre, to borrow money, approved the fourteenth day of February, one thousand eight hundred and sixty-three.

Preamble.

WHEREAS, The town council of the borough of Bellefonte, in the county of Centre, have expended a large amount of money upon their water works, and owing to the growth of the town, and increase of the population, the works are not sufficient to give at all times a full supply of water to the inhabitants thereof:

And whereas, The necessary extension of pipes, and increase of power, will cost a greater sum than can be realized by ordinary taxation within the time that the cost of said improvements should be paid:

And whereas, They are desirous of borrowing money, for said purpose, and for other public improvements, and for the purpose of paying off or funding the present indebtedness of said borough:

And whereas, The money heretofore borrowed, under former acts of assembly, has been expended; therefore,

May borrow money
and issue bonds.

SECTION 1. *Be it enacted, &c.,* That the town council of the borough of Bellefonte, within the county of Centre, be and they are hereby authorized and empowered to borrow upon the credit of said borough, for the purpose of extending and improving the water works of said borough, and for making other public improvement therein, any sum of money, not exceeding twenty-five thousand dollars, at a rate of interest, not exceeding seven per cent., payable at any time the said town council may determine, within twenty years, and to issue coupon or other bonds therefor: *Provided,* That no bond or obligation shall be issued by said town council for the payment of sums of a less denomination than one hundred dollars, and that the same shall be exempt from taxation except for state purposes.

To be exempt from
local taxation.

May re-issue bonds
heretofore issued.

SECTION 2. That the town council of the borough of Bellefonte, are hereby authorized to re-issue and re-fund the bonds of said borough which have been issued under former acts of

assembly for like purposes, as they come due, with coupon or other bonds, at a rate of interest not exceeding eight per centum per annum, and that the same shall be exempt from taxation except for state purposes.

Exempt from local taxation.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 81.

A Supplement

To an act passed the sixteenth day of February, one thousand eight hundred and sixty-seven, entitled "An Act changing the time of holding the courts in the Sixteenth judicial district."

SECTION 1. *Be enacted, &c.*, That the terms of the several courts, in the county of Bedford, shall commence on the fourth Monday of April, fourth Monday of August, second Monday of November, and first Monday of February, and continue two weeks when so ordered by the court.

SECTION 2. This supplement shall take effect on and after the first day of March, one thousand eight hundred and seventy-three.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 82.

A Supplement

To an act to incorporate the Jersey Shore, Pine Creek and Buffalo Railway Company, approved the seventeenth day of February, Anno Domini one thousand eight hundred and seventy, to extend the time for the commencement of the construction of the same.

SECTION 1. *Be it enacted, &c.*, That the time for the commencement of the construction of the Jersey Shore, Pine Creek and Buffalo Railway is hereby extended for three years, from the seventeenth day of February, Anno Domini one thousand eight hundred and seventy-three.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 83.

An Act

To authorize the board of directors of the Fairmount Gold and Silver Mining Company to lay and collect assessments upon the shares of stock of said company, being a supplement to an act to incorporate the Fairmount Gold and Silver Mining Company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-six.

May make assessments on shares.

Payment of sums assessed

On neglect to pay assessment, shares may be sold.

Treasurer to transfer shares sold, and issue certificates.

SECTION 1. *Be it enacted, &c.*, That the board of directors of the Fairmount Gold and Silver Mining Company, be and they are hereby authorized, by a vote of the majority of said directors, at any stated meeting, or other meeting called for the purpose, to assess, from time to time, at their discretion, on each and every share that is now issued or that may hereafter be issued, of the capital stock of the said company, such sum or sums of money as they may think proper and necessary to pay existing liabilities of said company, and to carry on the business of the same; and such sum or sums so assessed shall be paid in cash to the treasurer of said company at such time or times as said board may direct: *Provided nevertheless*, That the time fixed by the said board for such payment shall not be earlier than thirty days after the passage of any such resolution to assess, of which the secretary of the board shall give notice, by advertisement in two daily newspapers published in the city of Philadelphia, once a week for three weeks.

SECTION 2. That if after due notice so given, the owner of any such share or shares shall neglect or refuse to pay any sum or sums so assessed upon any such share or shares, for the space of ten days after the time appointed for payment, the treasurer of the company shall, within ten days thereafter, sell at public auction, in the city of Philadelphia, such share or shares to pay all assessment or assessments thereon then due, together with necessary and incidental charges: *Provided*, That the said treasurer shall give notice of the time and place appointed for such sale, by advertising the same once in two daily newspapers, published in the city of Philadelphia, at least five days previous to the time fixed for said sale.

SECTION 3. When any sale shall be so made, the treasurer of the said company shall transfer on the books of the company to the purchaser, the share or shares so sold, and after the transfer is so made a certificate shall issue therefor.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 84.

An Act

Supplementary to an act authorizing the erection of a bridge over the Youghiogheny river, at M'Keesport, Allegheny county, approved April fourth, one thousand eight hundred and seventy-two, changing the elevation and piers of said bridge.

SECTION 1. *Be it enacted, &c.*, That the elevation of the bridge provided for in the act to which this is a supplement, be and the same is hereby altered and changed from sixty feet above low water mark to fifty feet in the centre above the same; and said bridge shall be built with two piers instead of one, the distance between the same to be not less than three hundred feet from centre to centre, and to be so located as to leave the channel of said river as nearly as possible without obstruction to navigation.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 85.

An Act

Authorizing the clerk of the court of quarter sessions for the county of Bedford, to make certificate of the vote on license from returns sent in by mail or otherwise.

SECTION 1. *Be it enacted, &c.*, That the clerk of quarter sessions, of the county of Bedford, is hereby authorized and required to make a certificate from the returns of the several election districts, in said county, of the vote cast for and against license, under and by virtue of the act, entitled "An Act to permit the voters of the commonwealth to vote every three years on the question of granting license to sell intoxicating liquors," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and seventy-two, and the said clerk shall file the certificate so made by him among the records of said court; and said certificate when so filed shall have the same force and effect for all purposes, whether made up from sealed returns sent by mail or otherwise, or from presentation of judges of elections in person: *Provided*, The certificate so made, by said clerk, shall show the whole number of votes cast in each election district, in said county, for license and against license, and also the majority for license or against license in said county.

APPROVED—The 5th day of February, A. D., 1873.

J. F. HARTRANFT.

No. 86.

An Act

Authorizing the governor to appoint an additional notary public for the county of Fayette.

SECTION 1. *Be it enacted, &c.*, That in addition to those now provided by law, the governor be and is hereby authorized and empowered to appoint and commission an additional notary public for the county of Fayette, to reside in the borough of Uniontown, in said county.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 87.

An Act

To authorize the governor to appoint two additional notaries public for the county of Snyder.

SECTION 1. *Be it enacted, &c.*, That there may be appointed by the governor, two additional notaries public, in and for the county of Snyder, one of whom shall hold his office in Freeburg, in said county, and the other in Middleburg, in said county.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 88.

An Act

Authorizing the appointment of twelve additional notaries public for the county of Allegheny.

SECTION 1. *Be it enacted, &c.*, That the governor be and he is hereby authorized to appoint twelve additional notaries public for the county of Allegheny.

APPROVED.—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 89.

An Act

To authorize the appointment of two additional notaries public in Chester county.

SECTION 1. *Be it enacted, &c.*, That the governor is hereby authorized to appoint two additional notaries public in Chester county, the office of one to be in Phoenixville and the other in Spring City.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 90.

An Act

Relating to the real estate of Charles and Letitia Miner, and authorizing the sale or partition of the same.

SECTION 1. *Be it enacted, &c.*, That it shall and may be lawful for William S. Kirk, guardian of the persons and estates of Anna L. Wentworth, Lincoln MacVeagh and Charles M. MacVeagh, and his successors in the office of guardian, to sell and convey, at public or private sale, all the right, title and interest of the said wards or any of them, in the surface of all lands and tenements which they have any right or title to, or interest in, as lineal descendants of Charles Miner and Letitia Miner, or of either of them, which have or are supposed to have veins or deposits of mineral coal beneath the surface thereof, and to make, execute and deliver a good and sufficient deed in fee simple of the surface of such lands and tenements to the purchaser or purchasers, separate and apart from the estates of said wards in the veins and deposits of mineral coal, and the right to dig for, mine and remove the same, with the necessary or proper privileges and facilities for working such mines as may be opened in such lands and tenements, and for removing coal therefrom, so that an estate and interest in said lands and tenements may be had, used and enjoyed, separate, and apart from the residue of said lands and tenements below the surface of the same as aforesaid, and of the right and title to the mineral coal therein.

William S. Kirk,
guardian, may sell
interest of wards in
surface of lands.

SECTION 2. It shall and may be lawful for the said guardian and his successors as aforesaid, to join with other owners in making partition by agreement of the surface of any

May agree to partition of surface.

May accept pur-
part, &c.

lands or tenements which have come to them on the part of the said Charles and Letitia Miner, or of either of them, and to take and accept for his or their wards any part or purpart of the surface of such land; and also to accept and receive for his or her wards conveyances in fee simple of such parts and purparts as he may so take and accept, as well as to make conveyances to the other owners of their parts and purparts in conformity with said agreement.

Court may award
inquest, &c.

SECTION 3. The orphans' court of Luzerne county shall have power, on the application of any lineal descendants of the said Charles and Letitia Miner, or of any assignee or grantee of such lineal descendant by him or herself, or by his or her guardian, if the applicant is under age, to appoint three or more disinterested persons chosen on behalf and with the consent of the parties, or where the parties cannot so agree to award an inquest to make partition of the surface of any lands or tenements of which the said Charles and Letitia Miner, or either of them, were seized during their lives, and in which the applicant has or shall have an interest, and in which also there are known or supposed to be veins or deposits of mineral coal, and upon the return made by the person so appointed, or of the inquisition taken, to give judgment that the partition of the surface of such lands or tenements so made be firm and stable forever, and that the costs thereof be paid by the parties interested in equal proportion to their several and respective interests; and such further proceedings as to the said surface may thereupon and thereafter be had in said court as in other cases of partition is provided by the laws of this commonwealth.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 91.

A Supplement

To an act to incorporate the Lancaster County Monumental Association, approved the tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

Commissioners
failing to attend
meetings, to cease
to be members.

SECTION 1. *Be it enacted, &c.,* That in case any one of the commissioners named in the act of incorporation, entitled "An Act to incorporate the Lancaster County Monumental Association," approved the tenth day of February, Anno Domini one thousand eight hundred seventy-one, has removed from the county, or has failed to perform the functions of commissioner, upon failure to attend meetings after proper

notice sent in writing, he shall cease to be a member of said association.

SECTION 2. Said association shall have full power to make such rules and regulations, and to perform such acts as may be necessary to carry out the objects of said association, and may have a common seal and the same to alter and renew at pleasure.

May make rules,
&c.

SECTION 3. It is the true intent and meaning of the act, to which this is a supplement, that the funds appropriated to the purposes of this association, by section six of said act, shall not be diverted from said purposes by the provisions of any other act or acts, but shall be assessed and collected, as now provided by law, and shall remain exclusively for the uses of the association until the completion of said monument and payment of expenses incurred in its erection: *Provided*, That the amount received from source specified in section six, shall not exceed in the aggregate, the sum of thirty thousand dollars.

Certain funds to remain for uses of association.

SECTION 4. Section seven of the act of incorporation is hereby repealed, and the charge of said monument to keep in preservation and repair, shall be and remain in said association; and said association is authorized to invest any surplus funds it may have after the completion of the monument, in such manner as to provide means for its proper preservation.

Charge of monument to remain in association.

May invest surplus funds.

SECTION 5. Upon the completion of the monument, and the full payment of the same, the officers of the association shall file in the court of common pleas of Lancaster county, an account of its receipts and disbursements.

Officers to file account of receipts and disbursements

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 92.

A Further Supplement

To an act to provide a city government for the borough of Altoona, approved April third, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted, &c.*, That the territory included within the boundaries of the First and Second wards of the city of Altoona, by the act to which this is a further supplement, be divided as follows: The territory included in the First ward, shall be divided by a line commencing at the main line of the Pennsylvania railroad, at Eleventh avenue and Seventh street, and running along Seventh street to Chestnut street, and thence by the line of the Pennsylvania railroad company's lands, in a straight line to the north-

First and Second wards to be divided.

How First ward to be divided.

western boundary of the city, and all the territory lying north and east of said line, and north and west of the main line of the Pennsylvania railroad, and within the boundaries of the city, shall be one ward, and shall be called the Seventh ward; the territory included in the Second ward, by the act to which this is a further supplement, shall be divided by a line commencing at the main line of the Pennsylvania railroad at Eleventh avenue and Seventh street, and running along Seventh street and through the lands of William M. Lloyd, in a straight line to the north-eastern boundary of the city, and all the territory lying north and east of Seventh street, and south and east of the main line of the Pennsylvania railroad, and included within the boundaries of the city, shall be one ward, and be called the Eighth ward; that the balance of the territory included within the First and Second wards of the city respectively, by the act to which this is a further supplement, shall constitute two wards, and shall remain the First and Second wards, with all the rights of representation in the city council that they were entitled to before the division provided for in this act; that the general municipal and special elections in the First, Second, Seventh and Eighth wards, shall be held at the following places, to wit: The elections for the First ward at the market house, in said ward; the elections for the Second ward at Arthur's house, in said ward; the elections for the Seventh ward, at Kipple and company's coal office, in said ward, and the elections for the Eighth ward at the public school house, in said ward: *Provided*, That the occupant of the dwelling house on the Pennsylvania company's lands, at the corner of Chestnut street and the line of the said railroad company's lands, and within the boundary of the said Seventh ward, shall vote at all elections at the market house in the First ward, and shall be assessed and pay his taxes in said First ward.

SECTION 2. That the qualified electors of the said Seventh and Eighth wards, shall on the third Friday of February, Anno Domini one thousand eight hundred and seventy-three, elect the following officers, to wit: The electors of the Seventh ward shall elect one judge of elections, and two inspectors of elections, who shall hold the election hereinafter provided for on the said day, and who shall hold office until their successors are chosen and qualified according to the election laws of this commonwealth; the said electors of said ward, shall also elect upon the said day two members of city council, one to serve for two years, and one to serve for one year, and annually thereafter one member of city council to serve for two years; the electors of the Eighth ward shall elect one judge of elections and two inspectors of elections, who shall hold the election hereinafter provided for on the said day, and who shall hold office until their successors are chosen and qualified according to the election laws of this commonwealth; the said electors of said ward, shall also elect upon the said day two members of city council, one to serve for two years, and one to serve for one year, and annually thereafter one member of city council to serve for

Seventh ward.

How Second ward to be divided.

Eighth ward.

What to constitute First and Second wards.

Where elections for First, Second, Seventh and Eighth wards to be held.

Occupant of certain dwelling house to vote in First ward.

Election for Seventh and Eighth wards.

What officers to be chosen.

two years: *Provided*, That in case this act does not become a law in time to hold the elections provided for in this section on the third Friday of February, Anno Domini one thousand eight hundred and seventy-three, it shall be the duty of the mayor of said city to order a special election for the election of the officers specified within this section, within thirty days from the passage of this act, which election so ordered by the mayor, shall be governed by the laws regulating elections in this commonwealth.

SECTION 3. That the qualified electors of the First, Third and Seventh wards of said city shall elect one alderman, who shall be a resident of and keep his office within one of the three wards from which he shall be chosen; that the qualified electors of the Second, Fourth and Eighth wards shall elect one alderman, who shall be a resident of and keep his office in one of the three wards from which he shall be chosen; that the qualified electors of the First, Third, Fifth and Seventh wards shall elect one constable; that the qualified electors of the Second, Fourth, Sixth and Eighth wards shall elect one constable; that the qualified electors of the Seventh and Eighth wards shall elect one assessor.

Aldermen, constables and assessor.

SECTION 4. That the city council at the first meeting after the organization in each year, shall fix the salary of the mayor of the city, which salary shall not be less than fifty dollars per month, nor shall the salary be decreased by the council fixing it; that the chief of police provided for in section twenty of the act to which this is a further supplement, shall be removed from office only by the mayor; that the council within thirty days after notice by the mayor of his appointment of a chief police, shall fix the salary of the chief police, which salary shall not be less than fifty dollars per month, nor shall it be decreased by the council fixing it.

Salary of mayor.

Chief of police to be removed by mayor only.

Salary.

SECTION 5. That the city council and board of school directors of said city shall, within thirty days from their organization, each year, publish for three weeks in three weekly newspapers published in said city, if so many are printed therein, full and detailed statements of their receipts and expenditures for the preceding year.

Council and school directors to publish receipts and expenditures.

SECTION 6. That all parts of the act of assembly, approved April third, Anno Domini one thousand eight hundred and sixty-seven, providing a city government for the borough of Altoona and its supplement, approved February eighth, Anno Domini one thousand eight hundred and sixty-eight, and all other acts of assembly inconsistent with this act, be and they are hereby repealed.

Repeal.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 93.

An Act

To authorize the governor to appoint an additional notary public for the county of Northumberland.

SECTION 1. *Be it enacted, &c.*, That the governor be and he is hereby authorized to appoint an additional notary public for the county of Northumberland, to reside in the borough of Watsontown, in said county.

APPROVED—The 7th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 94.

An Act

To authorize the pre-payment of all justice and officers' costs on appeals from justices of the peace, in and for the counties of Armstrong, Clarion, Delaware and Lawrence.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, upon any appeal being taken from the judgment of any justice of the peace in the counties of Armstrong, Clarion, Delaware and Lawrence, that before the justice shall be compelled to deliver a transcript, that all justice and officers' costs, when legally taxed, shall first be paid by the party appellant.

APPROVED—The 7th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 95.

An Act

Extending the time for the completion of the Pittsburg, Virginia and Charleston Railway.

SECTION 1. *Be it enacted, &c.*, That the time for the completion of the Pittsburg, Virginia and Charleston Railway, with one or more tracks, sidings, depots and appurtenances, is hereby extended for the term of five years from the first day of January, Anno Domini one thousand eight hundred and seventy-three.

APPROVED—The 7th day of February, A. D. 1873.

J. F. HARTRANFT

No. 96.

A Supplement

To the act, entitled "An Act to enable the city of Franklin, in the county of Venango, to fund its debt," approved the fourth day of April, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.,* That the mayor and city council of the said city of Franklin, be and they are hereby authorized to issue bonds with the coupons attached, bearing interest at a rate not exceeding seven and three-thenths ($7\frac{3}{10}$) per centum per annum, redeemable in five years, at the option of said city, and payable in fifteen years from the first day of May, Anno Domini one thousand eight hundred and seventy-three, for the purpose of raising the necessary funds to liquidate in full all the debts of said city outstanding on said first day of May, whether by bond, note, order or otherwise, except the bonds heretofore issued under the act to which this is a supplement: *Provided*, That this act shall not apply to any debts contracted by the school board of said city: *And provided also*, That the aggregate amount of bonds issued under this supplement shall not exceed the sum of five thousand dollars.

Mayor and council
may issue bonds.

SECTION 2. That all bonds issued by virtue of this act, and the act to which this is a supplement, shall be exempt from all county and municipal taxes.

Exempt from local
taxation

APPROVED—The 7th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 97.

An Act

To prohibit the deposit of the dead carcasses of horses, cattle and swine in certain rivers of Allegheny county.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, it shall not be lawful to deposit the dead carcasses of horses, cattle or swine in the Ohio, the Monongahela or the Allegheny rivers, or in any streams flowing into either of the same, or on the banks of said rivers and streams, within the county of Allegheny.

Deposit of carcasses
prohibited.

SECTION 2. That any person offending against the provisions of the first section of this act, shall be liable to a fine of twenty dollars, to be recovered before any justice of the peace

Penalty for viola-
ting act.

or alderman ; one half of the fine to go to the constable, or other person making the information, and the other half to the county.

APPROVED—The 7th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 98.

An Act

To fix monthly return days in the courts of Huntingdon, Bedford, Fulton, Juniata and Union counties.

SECTION 1. *Be it enacted, &c.,* That every writ for the commencement of an action issued out of the court of common pleas of Huntingdon, Bedford, Fulton, Juniata and Union counties, shall bear date on the day of the issuing thereof, and may be made returnable as follows, to wit: On the first Monday of each and every month, as well as the first day of each and every term of said court, except summons in partition, which shall be returned on the first day of the then next term; and such process may be directed to be returned to either of the said monthly return days which may happen before the next term, or to the first return day of the next term, at the option of the party taking out the same, or in case there should not be ten days between the issuing thereof and the first day of the next term, the same may be made returnable on any Friday of the term or on the next monthly return day thereafter, or to the first day of the next succeeding term; and in all suits instituted in said courts, when returns of such process are directed to be made to a monthly or other return day, the party may obtain such return, file declarations and other pleadings, take judgments for want of appearance or affidavits of defence, put causes at issue and have them tried, and do all other matters and things in the prosecution of suits that might be done if the said writs had been returned on the first day of any term of the said court; and the stay of execution allowed by the third and fourth sections of the act, entitled "An Act relating to executions," approved June sixteenth, one thousand eight hundred and thirty-six, shall count from the return day to which the original process issued was made returnable.

APPROVED—The 5th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 99.

A Further Supplement

To the act incorporating the Pennsylvania Railroad Company, authorizing an increase of its capital stock, the issue of bonds and the securing of the same by mortgage.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the Pennsylvania Railroad Company, from time to time, to increase its capital stock to such amounts as the stockholders may, by resolution passed at any regular or special meeting, authorize; said increase not to exceed an amount equal to the amount of the capital stock which said company is now by law authorized to issue; and when so authorized to apportion or dispose of the said shares in such manner and upon such terms, (but at not less than the par value thereof,) as the board of directors may deem for the best interests of the company; and the said company may issue, from time to time, bonds of the said company, payable at such time as they may appoint, bearing interest at a rate not exceeding seven per centum per annum, with or without provision for the payment, by the company, of any or all taxes on the principal or interest thereof, and to secure, from time to time, the said bonds by one or more mortgages of the whole or any portion of the railroads, estate, real and personal, and corporate rights and franchises acquired and to be acquired of the said company: *Provided however*, That no bond or bonds shall, at any time, be issued in excess of the amount of the capital stock of said company outstanding at the time of such issue, but any such mortgage or mortgages may, at the option of and to the amount fixed by the said company, be made to secure, with the same rights, lien and privileges, bonds which a subsequent increase of capital stock may enable the said company to issue, as well as those which may be issued at the date of the execution of said mortgage.

May increase capital stock.

Apportion or dispose of shares.

Issue bonds and secure same by mortgage.

Proviso.

SECTION 2. That any mortgage or mortgages executed and delivered, as authorized by this act, shall be recorded in the office of the recorder of deeds, of the city and county of Philadelphia, and shall thereupon, without further record, be a lien on the property mortgaged wherever situated, as fully and effectually as if it had been recorded in each of the several counties in which the mortgaged premises, or any part thereof, are or may be situated.

Mortgage to be recorded in Philadelphia.

Effect thereof.

APPROVED—The 18th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 100.

An Act

To authorize the holding of special courts in Fayette county.

Holding of special courts authorized.

SECTION 1. *Be it enacted, &c.,* That any one of the judges of the court of common pleas of Allegheny county, is hereby authorized to hold special courts in the county of Fayette, for the determination of any suit, cause or matter removed into said special court, from the court of common pleas of Fayette county, provided for in the second section of this act; said special court to be held in the same manner as now provided for in the act for holding special courts of common pleas, approved the fourteenth day of April, Anno Domini one thousand eight hundred and thirty-four, and the several supplements thereto; and the judge holding said special courts, shall have the same power, authority, privileges and compensation as are by the same act, and the several supplements thereto, conferred upon the president judge of the court of common pleas who may reside nearest.

How to be held.

Powers, &c., of judge holding same.

Causes may be certified from common pleas to special court.

SECTION 2. That any suit, cause or matter now pending, or hereafter to be brought or entered in the court of common pleas of Fayette county, may at the election of either plaintiff or defendant, be certified by the prothonotary into the special court provided for in the first section of this act: *Provided,* That the said plaintiff or defendant shall first file in the prothonotary's office, an affidavit stating his, her or their election to have his, her or their suit, cause or matter certified into the said special court, and that the same is not done for the purpose of delay, together with the certificate of his, her or their counsel, that in their opinion the dispatch of business requires that said suit, cause or matter pending in said court of common pleas, be removed into the special court aforesaid; whereupon it is hereby made the duty of the prothonotary of the court of common pleas of Fayette county, to certify forthwith said suit, cause or matter into the said special court, which said suit, cause or matter shall be placed on the special court list, subject to all the orders and rules of said special court to the final determination of the same.

Affidavit and certificate to be first filed.

APPROVED—The 18th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 101.

An Act

To incorporate the Pennsylvania Bridge Company.

SECTION 1. *Be it enacted, &c.,* That James L. Leavy, Joseph Shaw, John A. L. Flegal, John Smith and Richard Shaw, Jr., and such others as may associate with them, be and they are hereby created a corporation in deed and in law, by the name, style and title of the Pennsylvania Bridge Company, with power to erect a bridge over the West Branch of the Susquehanna river, in the county of Clearfield, at any point between the west end of Locust street in Clearfield, and the end of the Goshen road at the river adjoining the farm of Joseph Shaw, with the right and privilege of entering in and upon the land at the end of any street within the borough of Clearfield, there to erect their abutments, and locate the easterly end of their said bridge; and the said corporation shall be entitled to all the privileges, and subject to all the provisions and restrictions of the act regulating bridge companies, approved April twelfth, one thousand eight hundred and fifty-five, and the several supplements thereto, except where rendered unnecessary by the passage of this act.

SECTION 2. The capital stock of said corporation shall be ten thousand dollars, to be divided into shares of twenty-five dollars each; the number of directors of said corporation shall be five, one of whom shall be president; and the corporators named in the first section of this bill shall be directors of said company until their successors are elected in the manner provided by the by-laws of the said corporation, which said by-laws they are hereby authorized and empowered to make.

SECTION 3. The said corporation shall have power, and they are hereby authorized to make the said bridge a free bridge, under such regulations and restrictions as they may fix; and they may provide that each of the shares of stock of said bridge company shall forever entitle the subscriber thereof to free passage over the bridge aforesaid, so long as it shall exist, with all of his teams, hauling and freight.

SECTION 4. The said corporation is hereby authorized to borrow money to an amount not exceeding ten thousand dollars, and to issue therefor its coupon bonds, in sums not exceeding five hundred dollars each, bearing interest not exceeding ten per centum, and to secure the payment thereof by a mortgage upon its corporate franchises, real estate and bridge, and may provide that the holders of any of said bonds may have the right of free passage over said bridge, and may insert the same in the condition of the said coupon bonds.

SECTION 5. The stockholders of said corporation may at any time, by a vote of two-thirds of the said stock, provide

Corporators

Title.

Powers and privileges.

Subject to.

Capital stock.

Directors.

By-laws.

May make bridge free.

Provide for free passage of subscribers to stock.

May borrow money and issue bonds therefor.

Provide for free passage of bondholders.

Stockholder may make bridge a bridge.

for making the said bridge a toll bridge, reserving the rights of the original subscribers and the bondholders to free passage, or may proceed at the option of the directors to make the same a free bridge from the commencement.

APPROVED—The 19th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 102.

An Act

To prevent cattle, horses, mules, sheep and swine from running at large in the townships of Montgomery, Norriton and Hatfield, county of Montgomery.

Certain animals
not to run at large.

Penalty.

Duties and powers
of constables.

Penalty for neg-
lect.

How penalties to
be prosecuted, &c.

SECTION 1. *Be it enacted, &c.*, That from and after the first day of April next, no cattle, horses, mules, sheep and swine shall be suffered to run at large, or upon the public roads or highways, in the townships of Montgomery, Norriton and Hatfield, Montgomery county, under the penalty of two dollars.

SECTION 2. That it shall be the duty of the constable and supervisors in said townships, and they are hereby directed and empowered without any special warrant or other authority than this act, to seize and secure all cattle, horse, mule, sheep and swine kind that may be running at large as aforesaid, and the same to sell at public sale in the same manner as is provided by law for selling strays, giving the owner, if he can be found, at least five days' notice previous to such sale; if said owner shall pay to the constable or supervisors the said penalty of two dollars, and also pay for the expense of the keeping said animal or animals, then it shall be the duty of the constable or supervisors to deliver said animal or animals to the owner, but if he shall make a sale as aforesaid, he shall pay the overplus after deducting the said penalty and expenses to the owner; and the constable or supervisor making such seizure shall be allowed for the same to retain one-half of the penalty, and it shall be their duty to pay the other half to the school treasurer of the township, for the use of the school in said township.

SECTION 3. That if any constable or supervisor shall neglect or refuse to seize or secure any animal aforesaid found running at large, such constable or supervisor shall pay a fine of five dollars for the use of the school of said township, where the said constable or supervisor resides, for every such neglect or refusal.

SECTION 4. The penalties imposed by this act shall be prosecuted and recoverable before a justice of the peace, in the name of the school directors of said township.

SECTION 5. All acts or parts of acts inconsistent herewith, Repealed and are hereby repealed.

APPROVED—The 19th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 103.

An Act

Relating to actions affecting real estate in Millstone township, Elk county, which were pending prior to the annexation of said township to said county.

WHEREAS, By an act of the assembly, entitled "An Act to alter and enlarge the boundaries of the county of Elk," approved the ninth day of March, Anno Domini one thousand eight hundred and seventy, Millstone township was severed from Forest county and annexed to the county of Elk:

And whereas, In said act no provision was made for the disposition for actions then pending in the county of Forest, relating to real estate in the said township of Millstone, by reason whereof doubts have arisen as to the proper disposition of such actions; now, therefore,

SECTION 1. *Be it enacted, &c.*, That in all actions pending in the county of Forest, at the date of the act annexing Millstone township to the county of Elk, namely: the ninth day of March, Anno Domini one thousand eight hundred and seventy, the several courts of Forest county, in which such actions shall have been pending, shall respectively be deemed and taken to have retained jurisdiction of the same, to proceed in said actions to final judgment or decree, and execution thereof in all respects as if said act had not been passed, and no objection shall be taken on account of said act to any proceeding, judgment or decree heretofore had or made in any of said courts in any such action.

APPROVED—The 19th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 104.

An Act

To extend the provisions of an act relating to costs in Luzerne county, approved the second day of April, Anno Domini one thousand eight hundred and hundred and sixty-three, to the county of Fayette, with a proviso.

SECTION 1. *Be it enacted, &c.*, That the several provisions of the act, entitled "An Act relating to costs in Luzerne county," approved the second day of April, Anno Domini one thousand eight hundred and sixty-three, be and the same are hereby extended to the county of Fayette: *Provided*, That the same shall apply only to the fees of the sheriff, clerk of the court, district attorney, justices of the peace and constable, and only to cases where the costs can not be collected from the person or persons liable to pay the same.

APPROVED—The 19th day of February, A. D. 1873.

J. F. HARTRANFT.

Fo. 105.

A Supplement

To an act to prevent cattle, horses, et cetera, from running at large in certain townships of Lawrence county, approved the twenty-eighth day of March, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.*, That the act approved the twenty-eighth day of March, one thousand eight hundred and seventy, entitled "An Act to prevent cattle, horses, et cetera, from running at large in certain townships in Lawrence county," is hereby repealed, so far as it interferes with the running at large of one milch cow belonging to the head of any family in the township of Hickory, in said county of Lawrence.

APPROVED—The 19th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 106.

A Further Supplement

To an act to incorporate the Union Passenger Railway Company of Philadelphia, approved April eight, one thousand eight hundred and sixty-four, authorizing said company to extend their railway into, and to lay double tracks on Market street, from Front street to Ninth street, in the city of Philadelphia; to connect the new tracks with their present railway; to cross and to intersect other railways at grade; to connect the new tracks with their present track by a curve or curves, and to connect with other railways, without the consent of the councils of said city.

WHEREAS, The interests of the public demand that no corporation should have the monopoly of carrying passengers over the streets of a city between points which require the advantages of competition. Preamble.

SECTION 1. *Be it enacted, &c.,* That in addition to the powers and franchises heretofore granted to the Union Passenger Railway Company of Philadelphia, the said corporation shall have the following rights, privileges and franchises, to wit: To lay a double track of railway and railroad on Market street, in the city of Philadelphia, from any point or points west of the eastern curb of Front street, to any point or points east of the western curb of Ninth street, in said city; to connect both of said double tracks with the present railway of said corporation, now laid on Seventh street and on Ninth street, in said city; to cross all railways and railroads now or hereafter to be laid on Market street, between Front street and Ninth street, at grade, and to intersect the same at grade; to run the cars of said corporation, and to carry passengers along and over the route hereby authorized; to remove the cobble-stones and bed of highways, as may be necessary, for the laying of the tracks hereby authorized; to put in said tracks all necessary loops, curves, frogs and switches; to connect the two tracks hereby authorized to be laid with a curve or curves, and to do all other things needful and necessary for extending the present route and railway of said corporation, from Ninth street to Front street, on said Market street. Additional powers granted.

SECTION 2. The powers hereby granted may be exercised without the consent of the councils of the city of Philadelphia; and all laws and ordinances inconsistent herewith are hereby repealed. May be exercised without consent of councils.

APPROVED—The 19th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 107.

An Act

To establish a board of health in the borough of Lebanon.

Council to appoint
board of health.

Quorum.

Terms of office.

To be sworn.

Organization.

Payment of orders.

Meetings.

Duties and powers
of board.Council to pass or-
dinances, and im-
pose penalties for
violations.

SECTION 1. *Be it enacted, &c.,* That the council of the borough of Lebanon, shall within thirty days after the passage of this act and annually thereafter, at their second meeting in January of each year, appoint a board of health, to consist of one citizen from each ward, a majority of whom shall constitute a quorum; the persons so appointed shall serve for one year, or until their successors are appointed and duly qualified, and before entering upon the duties of office, they shall be severally sworn or affirmed to perform the same with fidelity.

SECTION 2. That the said board of health shall organize by the election of a president and other necessary officers; that the borough treasurer shall pay out of the fund appropriated by council for that purpose, all orders drawn on him by the board of health, through their president, attested by the clerk of said board; said board shall sit upon their own adjournments, and the clerk shall call special meetings when required by the president or any two members.

SECTION 3. That it shall be the duty of the board of health, to have all objects which may have a tendency to endanger the health of the citizens, removed or corrected as they shall deem necessary, to mark infected houses with flags, to provide for the burial of persons deceased with infectious or contagious diseases, to cause any person infected with contagious or infectious diseases to be removed to a hospital, which is to be provided by the directors of the poor of Lebanon county, at the expense of said county, away from the limits of said borough of Lebanon: *Provided,* Such removal can be made without endangering the life of such sick person or persons, to provide regulations imposing upon physicians practising within said borough the duty of reporting to the board of health all persons, together with the number and streets of their residences, who may be afflicted with contagious or infectious diseases, and to make all such other reasonable regulations as they shall think necessary for the preservation of the public health; and in order to carry any of the regulations of the board of health into practical operation, the council of said borough shall pass all ordinances necessary, and shall have the power to impose penalties upon any persons violating or refusing, or neglecting to obey any of the ordinances passed by the said council, and approved by the burgess, to carry into effect the rules and regulations of the said board, of not less than one dollar, nor more than two hundred dollars, which shall be recoverable as debts of like amount are by law recoverable, in the name of the borough of Lebanon,

and judgment so obtained may be enforced by *capias ad satisfaciendum*, if goods and chattles, lands and tenements of such defendants cannot be found sufficient to satisfy the same.

SECTION 4. That it shall be the duty of the board of health to report to the council of said borough the sanitary condition of the same, and such other matter as council may request of the same, at least every three months, or oftener if requested by council. Board to report to council.

SECTION 5. The actions of the board of health as at present constituted, are hereby legalized and declared valid. Actions of board legalized.

APPROVED—The 20th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 108.

An Act

Equalizing the time of payment and mode of fixing compensation of the several officers of Allegheny county, and clerks to same.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act all salaries payable to the different officers of Allegheny county and their clerks shall be payable monthly; and the salaries of all the clerks in the different county offices shall be fixed in like manner as is specified in section nine of act approved the sixth day of April, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act relating to the fees, salaries and duties of certain county officers in Allegheny county." How salaries to be paid.

SECTION 2. The allowance of twenty-five hundred dollars to the treasurer of Allegheny county for clerk hire, contained in section nine of an act, entitled "An Act supplementary to the act relating to the county treasurer, and prescribing further duties in Allegheny county," approved the eleventh day of March, Anno Domini one thousand eight hundred and seventy, be and the same is hereby abolished. How salaries of clerks to be fixed.

SECTION 3. All acts or parts of acts not in conformity with this act be and they are hereby repealed. Allowance to treasurer for clerk hire, abolished.

APPROVED—The 20th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 109.

An Act

To legalize the drawing of the grand and traverse jurors for March term, one thousand eight hundred and seventy-three, in the county of Armstrong.

SECTION 1. *Be it enacted, &c.*, That no irregularity in the filling of the jury box or wheel shall in any manner affect the legality of the grand and traverse jury drawn and summoned for the March term, one thousand eight hundred and seventy-three, of the several courts of Armstrong county, but the said jurors so drawn and summoned, shall be deemed and held lawful and regular for all trials in said courts.

APPROVED—The 20th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 110.

An Act

Extending the provisions of an act authorizing the school directors of the borough of Baden, in the county of Beaver, to levy and collect an additional tax during the present year, approved the third day of April, Anno Domini one thousand eight hundred and seventy-two, for two years from the date of the expiration of the time fixed in said act.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act authorizing the school directors of the borough of Baden, in the county of Beaver, to levy and collect an additional tax during the present year," approved April second, Anno Domini one thousand eight hundred and seventy-two, be and the same are hereby extended for two years, from the date of the expiration of the time fixed in said act.

APPROVED—The 20th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 111.

An Act

Relating to the compensation of the sheriff for boarding prisoners in the county of Bucks.

SECTION 1. *Be it enacted, &c.*, That the sheriff of the county of Bucks shall receive such allowance for boarding prisoners committed to the jail of said county, as may be fixed by the court of quarter sessions of said county, not exceeding fifty cents per day for each prisoner. To receive allowance fixed by court

SECTION 2. The provisions of this act shall apply to the unsettled accounts for board of such prisoners during the years one thousand eight hundred and seventy-one and one thousand eight hundred and seventy-two. To apply to unsettled accounts for 1871 and 1872.

APPROVED—The 20th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 112.

An Act

Relating to the fees of the sheriff, and the salaries of the directors of the poor of Dauphin county.

SECTION 1. *Be it enacted, &c.*, That the sheriff of Dauphin county shall be allowed to collect and receive the additional fees allowed by the act of the thirteenth of March, Anno Domini one thousand eight hundred and sixty-five, entitled "An Act increasing the fees of the several officers of this Commonwealth." Fees of sheriff.

SECTION 2. That the salary of the directors of the poor and of the house of employment, be and is hereby fixed at the sum of three hundred dollars in lieu of the present sum paid, to commence from the first day of January last. Salaries of poor directors.

APPROVED—The 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 113.

An Act

To incorporate the Venango Bridge Company at Oil City, Pennsylvania.

Commissioners.

SECTION 1. *Be it enacted, &c.*, That John Munhall, William Parker, J. R. Arter, John Mawhenney, J. J. Vandergrift, John J. Brodhead, Thomas B. Porteous, George V. Forman, Daniel Fisher, Fid Bishop, John Vannasdell, J. M. M'Elroy, C. E. Bishop, Hugh C. Graham, T. H. Williams W. H. Kinter, S. D. Miller, A. P. Duncan, Joseph H. Marston, Charles B. Grant, John A. Christy, W. J. Brundred, Charles Thumm, Joseph Bates and Charles H. Shepherd, of Oil City, Venango county, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name style and title of the Venango Bridge Company, with a capital stock of seventy-five thousand dollars, to be divided into shares of not less than fifty-dollars each, and power to increase the same to such an amount as may be necessary to complete the bridge hereby authorized to be built, by a vote of the stockholders present at a meeting specially called for that purpose.

Title.

Capital stock.

Erection of bridge authorized.

SECTION 2. That the said bridge company are hereby authorized and empowered to build and erect a single or double track bridge across the Allegheny river, at or near the north end of Petroleum street, Fourth ward, in said city of Oil City, and shall be subject to all the restrictions, and vested with all the rights, powers and privileges enumerated in an act entitled "An Act regulating bridge companies," approved the twelfth day of April, Anno Domini eighteen hundred and fifty-five, and the several supplements thereto, except so far as it and they are altered or supplied by this act.

Subject to.

Tolls.

SECTION 3. That when a good and complete bridge shall have been erected over the Allegheny river, at the point designated in this act, the said company may demand and receive toll from travelers and others crossing the same, not exceeding the following rates, viz: For each person afoot, three cents; for each person and horse, ten cents; for each one horse carriage, wagon or sleigh, fifteen cents; for each two horse carriage, wagon or sled, twenty-five cents, and for each additional horse attached to the same five cents; for each yoke of oxen, without vehicle, ten cents; for each head of cattle, five cents; for each head of sheep or swine, one cent, and for all things not enumerated in this list the amount received by other bridges, of like character, across said stream, in Venango county: *Provided*, That the said bridge shall be so constructed as not to obstruct the navigation of said stream more than other structures of like character on said river now do: *And provided further*, That the said bridge shall not be erected nearer the bridge of the Oil City and Petroleum Bridge Company than the north end of Petroleum

Navigation not to be obstructed.

Prohibition.

street, on the south side of said river, nor the south end of Hanna street, on the north side of said river: *Provided*, That if the directors of said company shall fail to to put such bridge under contract for construction, within twelve months from the passage of this act, stipulating for the completion of said bridge within twelve months after the execution of said contract, the court of common pleas of Venango county shall, upon application of any stockholder, remove the board of directors and appoint a new board to prosecute the work, and such new board shall succeed to all the powers and obligations imposed by this act upon the directors to be elected by the stockholders; any person or persons contracting for the construction of said bridge shall give security, in the sum of fifty thousand dollars, for the fulfilment of the contract; said security to be approved by the board of directors of said company: *Provided further*, That said bridge shall not be used for railroad purposes, except street passenger railways: *Provided further*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Failure to put bridge under contract within certain time.

Contractors to give security.

Bridge not to be used for railroad purposes.

Bonus and taxes.

APPROVED—The 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 114.

An Act

To repeal part of an act, entitled "A supplement to an act to incorporate the Keystone Normal School, in the county of Berks, approved April eleventh, Anno Domini one thousand eight hundred and sixty-six," approved March twenty-third, one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That so much of section third of an act, entitled "A supplement to an act, entitled 'An Act to incorporate the Keystone Normal school, in the county of Berks,' approved April eleventh, one thousand eight hundred and sixty-six," approved March twenty-third, one thousand eight hundred and seventy-two, as prohibits said corporation from borrowing sums of money, exceeding in the aggregate twenty-five thousand dollars, be and the same is hereby repealed, and that said corporation shall have power to borrow any amount not exceeding one hundred thousand dollars.

J. F. HARTRANFT.

APPROVED—The 21st day of February, A. D. 1873.

No. 115.

An Act

Authorizing the commissioners of Pike county, to sell or remove the old brick building used for the accommodation of the county officers.

Preamble.

WHEREAS, The commissioners of the county of Pike are erecting a new court house which, when completed, will render the use of the old brick building now used for the accommodation of the county officers unnecessary for county purposes; therefore,

Authorized to remove building and sell material.

SECTION 1. *Be it enacted, &c.*, That the commissioners of Pike county or any two of them, are hereby authorized and empowered to pull down, or cause to be taken down, the old brick building now used for the accommodation of the county officers, standing in centre square in Miford, and sell the material at public or private sale or sell the same as it stands: *Provided*, The purchaser or purchasers remove the building within the time stipulated by the commissioners.

How proceeds to be applied.

SECTION 2. That the proceeds of the sale of the building hereinbefore authorized shall be paid into the county treasury and applied to county purposes.

APPROVED—The 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 116.

An Act

Authorizing the burgess and council of the borough of Darby to increase the rate of borough tax.

SECTION 1. *Be it enacted, &c.*, That the burgess and council of the borough of Darby, in the county of Delaware, shall have power by ordinance to levy, annually, for borough purposes, any tax not exceeding one per centum on the dollar on the valuation of property in said borough assessed for county purposes, as now is or may be provided by law, and to collect the same as other taxes are collected in said borough, and all laws or parts of laws inconsistent herewith are hereby repealed.

APPROVED—The 21st day of February, 1873.

J. F. HARTRANFT.

No. 117.

An Act

To amend the charter of the Mount Oliver Inclined Plane Company.

SECTION 1. *Be it enacted, &c.*, That the Mount Oliver Inclined Plane Company, an organization duly organized under the act of March twenty third, Anno Domini one thousand eight hundred and seventy, be and the same is hereby authorized to contract for and pay interest on bonds and mortgages, now issued or hereafter to be issued, at a rate not to exceed eight per centum per annum, payable semi-annually; said bonds and mortgages not to exceed the amount authorized by the former act of assembly.

APPROVED—The 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 118.

A Further Supplement

To the act incorporating the borough of Waynesburg, in the county of Greene.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall be lawful for the chief burgess or other principal corporate officer of the borough of Waynesburg, in the county of Greene, to impose a fine not exceeding ten dollars, and to commit to the jail of the said county, for a period not exceeding thirty days, all persons guilty of vagrancy or disorderly conduct, or breaches of the peace.

Punishment of
vagrancy, disorderly
conduct, &c.

SECTION 2. That it shall be the duty of the chief burgess of said borough, in each and every year hereafter, to appoint the borough constable of said borough, whose term of office shall be one year, or until a successor shall be duly appointed in his stead, except as hereinafter provided; the first appointment under this act shall be made on or before the expiration of the term of office of the present incumbent, at which time the appointee shall assume the duties of said office: *Provided*, That if the borough constable so appointed, shall fail to discharge the duties of his office in a manner satisfactory to the chief burgess, he may thereupon remove him and appoint a successor; but in no event shall any appointment so made, continue longer than the term of office of the chief burgess, making such appointment, or until a successor of said con-

Burgess to appoint
constable.

Term of office.

First appointment.

May be removed
and successor ap-
pointed.

To give bond and be sworn. stable shall be duly appointed: *Provided*, That the said borough constable, before he enters upon the duties of his office, shall give the bond and take and subscribe the oath of office now required by existing laws.

To make certain return to court. SECTION 3. That it shall be the duty of the said borough constable, at each term of the court of quarter sessions of the peace, in and for the county of Greene, to make return on oath or affirmation, whether, within his knowledge, there is any place within said borough, kept and maintained in violation of the act of March thirty-first, one thousand eight hundred and fifty-six, entitled "An Act to regulate the sale of intoxicating liquors;" and it shall be the especial duty of the judges of said court to see that this return is faithfully made; and if any person shall make known in writing, with his or her name subscribed thereto to said constable, the name or names of any one who shall have violated said act of the thirty-first of March, Anno Domini one thousand eight hundred and fifty-six, with the name or names of witnesses who can prove the act, it shall be his duty to make return thereof on oath or affirmation to the said court, and upon his wilful failure so to do, he shall be deemed guilty of a misdemeanor, and upon indictment and conviction in the said court of quarter sessions, shall pay a fine of not more than one hundred dollars, and be subject to imprisonment, at the discretion of the court, of not less than ten nor more than thirty days.

Duty of judges. SECTION 4. That any provision in the charter of said borough and all laws inconsistent herewith are hereby repealed.

Penalty for neglect to make return on notice given. APPROVED—The 21st day of February, 1873.

Repeal. J. F. HARTRANFT.

No. 119.

A Further Supplement

To an act for the appointment of water commissioner for the borough of Bedford, in Bedford county, approved the thirteenth day of April, Anno Domini eighteen hundred and seventy-two.

Bonds given for lands, &c., taken. SECTION 1. *Be it enacted, &c.*, That the proviso of section fourth of the act to which this is a supplement be changed in such manner as to read: *Provided*, That in all bonds given as aforesaid Bedford borough shall be the obligor, and the bonds shall be signed by a majority of said commissioners.

How vacancies in commissioners to be filled. SECTION 2. In case of death or resignation of any of said commissioners, named in the act to which this is a supplement, or should a vacancy occur from any other reason or cause, the court of common pleas of said county are hereby authorized and required to fill such vacancy, by the appointment of some suitable person or persons, as commissioners, to perform the duties mentioned in said act.

SECTION 3. Upon the completion of the said water works, and the performance of all the duties enjoined upon said commissioners, as mentioned in the act to which this is a supplement, they are hereby required and empowered to hand over to the corporate authorities of the borough of Bedford, the entire management and control of said works; and the burgess and town council of said borough, and their successors, are hereby authorized and required to take upon themselves, all the powers, duties and responsibilities, in the borrowing of money, issuing of bonds, (which shall be signed by a majority of the said corporate authorities,) levying of taxes, and all other powers duties and responsibilities which were enjoined upon the said water commissioners in carrying out the purposes and objects of the act to which this is a supplement; and the corporate authorities of said borough are hereby authorized to confirm and ratify all the acts done by the said water commissioners, in the making of contracts, issuing of bonds, or any other matter or thing whatsoever done by them in conformity to the act to which this a supplement, and when so ratified and confirmed, by the authorities aforesaid, shall be as binding upon said borough as though the said corporate authorities had been originally empowered to perform the same.

On completion of works, management of same to be given borough authorities.

Burgess and council to assume powers and duties of commissioners.

May confirm acts done by commissioners.

SECTION 4. The interest accruing on all bonds issued, or which may hereafter be issued, by the said water commissioners or corporate authorities of the borough of Bedford, shall be payable semi-annually; and all money raised by taxation, not required for the payment of said interest, and all water rates and frontage taxes, penalties and other revenues arising from the water works of said borough, the corporate authorities of said borough are hereby authorized and required to set apart and reserve annually, and the same to invest from time to time, in good securities, and at as high rate of interest as will be compatible with the safety of the investment, which is to form a sinking fund for the payment of the loans contracted by the said water commissioners or corporate authorities for said borough of Bedford, under and by virtue of the act to which this is a supplement; and the said burgess and council are hereby authorized to pay off and buy in and cancel any of said water bonds as often as opportunity occurs, and the condition of the sinking fund warrants them in so doing; and all moneys received from the negotiation of said bonds, together with all water rents, income or profit from the said water works, shall be kept separate and apart from the other moneys of said borough, and shall be designated the water fund, and shall be expended only in the construction, maintenance and repair of said works or in the payment of the principal and interest of said bonds.

How interest on bonds to be paid.

Certain revenues to form sinking fund to pay loans.

To be kept separate from other moneys.

SECTION 5. In addition to the provisions contained in section fifth of the act to which this is a supplement, in relation to the issuing of bonds or certificates of indebtedness in the name of the borough of Bedford, it is hereby enacted that the amount which may be issued by the said water commissioners and corporate authorities of said borough shall not exceed the sum of thirty thousand dollars.

To what extent bonds may be issued.

Upon completion of works, statement to be published.

Borough authorities to adjust accounts annually, and publish statement.

Punishment for injuring works or corrupting waters.

SECTION 6. Upon the completion of said water works, the said water commissioners shall publish a statement of the cost of said works, the amount of bonds issued by them, and when payable, the amount of taxes collected, and all the receipts and expenditures on account of the construction of said water works; and the corporate authorities of said borough shall, on the first Monday of January, of each and every year, after they have assumed the powers, duties and responsibilities of said water commissioners, settle and adjust all the accounts pertaining to said water funds, and publish a statement of the same for at least three successive weeks, in two newspapers published in said borough; such statement showing the receipts into and payments from the water fund, including the income from the works, and receipts from taxes, and showing particularly the amount of debt owing on account of the construction and maintenance of said works, and the time when the same is payable.

SECTION 7. If any person shall wilfully or maliciously do or cause to be done, any act or acts whatsoever, whereby any machinery, reservoir, pipes, conduits or any other matter or thing appertaining to the said water works shall be stopped or obstructed, injured or destroyed, or if any person shall wilfully or maliciously throw into the waters where said borough derives its supply, any filth, offal, garbage, carcass or decayed animal or vegetable matter, with intent to contaminate and destroy the purity of the waters conveyed into said borough, the person or persons so offending shall be considered guilty of misdemeanor, and may therefor be indicted in the court of quarter sessions of Bedford county, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars, or to be imprisoned not exceeding one year, or both, at the discretion of the court: *Provided*, That for any loss or damage sustained by said borough to the water works aforesaid, on account of any of the acts before mentioned, such criminal prosecution shall not in any way impair the right of the said borough to receive full compensation in damage by civil suits.

APPROVED—The 21st day of February, 1873.

J. F. HARTRANFT.

No. 120.

An Act

Fixing the compensation of election officers in the county of Bradford.

Compensation.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the judges, inspectors and clerks of elections, in the several wards, boroughs and townships of Brad-

ford county, shall each receive two dollars per day for each day spent in attending to their official duties.

SECTION 2. All acts or parts of acts conflicting with the first section of this act, be and they are hereby repealed, so far as relates to the county of Bradford. Repeal

APPROVED—the 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 121.

A Supplement

To an act to regulate medical practice in certain counties of this commonwealth, approved the thirty-first day of March, Anno Domini one thousand eight hundred and seventy, extending the same to Lancaster, Cumberland and Susquehanna counties.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act to regulate medical practice in certain counties of this commonwealth, approved the thirty-first day of March, Anno Domini one thousand eight hundred and seventy, be and the same are hereby extended to the counties of Lancaster, Cumberland and Susquehanna.

APPROVED—The 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 122.

An Act

Authorizing the erection of water works in the borough of Sewickley by commissioners, and the issue of borough bonds, and the levy of a special water tax.

SECTION 1. *Be it enacted, &c.*, That a board of commissioners, consisting of five persons, under the corporate name of the commissioners of Sewickley water works, be and is hereby created, for the purpose of erecting and maintaining water works, to supply with water the inhabitants of the borough of Sewickley, in Allegheny county, and such portions of the adjoining townships as the commissioners may include. Board of commissioners created
Purpose.

Present board.

Terms of office.

Council to elect commissioners annually.

Vacancies.

May purchase lands, lay pipes &c.

How lands, &c., may be appropriated in cases of disagreement with owners.

Viewers to be appointed

Their duties.

Report.

SECTION 2. That Theodore H. Nevin, William Harbaugh, J. W. F. White, Robert Watson and David N. White, are hereby appointed as the present board of commissioners, whose terms of office shall be as follows, to wit: Theodore H. Nevin's term of office shall expire on the thirty-first day of December, one thousand eight hundred and seventy-three; William Harbaugh's term of office shall expire on the thirty-first day of December, one thousand eight hundred and seventy-four; J. W. F. White's term of office shall expire on the thirty-first day of December, one thousand eight hundred and seventy-five; Robert Watson's term of office shall expire on the thirty-first day of December, one thousand eight hundred and seventy-six, and David N. White's term of office shall expire on the thirty-first day of December, one thousand eight hundred and seventy-seven; on or before the first day of January, one thousand eight hundred and seventy-four, and annually thereafter, the town council of said borough shall elect some suitable person as commissioner, whose term of office shall be five years, and any vacancy in the board, occasioned by death, resignation or otherwise, shall be filled by the said council electing a person to fill the vacancy.

SECTION 3. The said commissioners and their successors shall have full power to lease, or purchase, or take by appropriation, any lands or tenements, rights of way or privileges, which may be necessary or proper for the erection, extension, operation or maintenance of said water works, and shall have authority to lay and keep in repair the necessary pipes, fire plugs, hydrants, &c., in any of the streets or alleys of said borough, or the highways of the adjoining townships: *Provided however*, That the title to any lands or tenements, rights or privileges acquired by lease, purchase or appropriation, in pursuance of this act, shall be vested in said borough, in its corporate capacity.

SECTION 4. That if said commissioners cannot agree with the owner or owners for the purchase of any lands or tenements, rights of way or privileges, which may be necessary or proper in their judgments for the erection, extension, operation or maintenance of said water works, they shall have the right to take and appropriate the same in the following manner, to wit: They shall prepare a plot and description of the land they desire to appropriate, or through or in which they desire any rights or privileges, and shall present their petition under oath, accompanied by said plot and description, to the court of common pleas of said county, setting forth particularly the lands, rights and privileges desired, and their inability to agree with the owner or owners for the same; whereupon the said court shall appoint three discreet and disinterested freeholders as viewers, who, after being first duly sworn to perform the duties of their appointment faithfully and impartially, shall view the premises, hear the proofs and allegations of the parties, and make report to said court, stating the value of the lands, rights or privileges appropriated or damages to be paid said owner or owners. If either party shall be dissatisfied with said report, they may,

within ten days after the same shall have been presented to said court and approved, file exceptions thereto, and the said court shall have power to hear testimony, modify or confirm said report as they may deem right and just, or to appoint new viewers with like power over their report. The final confirmation of a report by the court shall be conclusive upon all parties, and upon payment or tender of the value or damage allowed the title to said lands, rights and privileges so appropriated, shall vest in the said borough: *Provided however*, That after a report has been made to court, if exceptions be filed by the owner or owners, the commissioners upon giving bond in such manner as said court may direct, in double the amount of compensation allowed by the viewers, with sureties approved by the court, shall have the right to enter upon and take possession of said lands, rights and privileges without further delay.

Final confirmation conclusive

Upon giving bond, possession may be taken when exceptions are filed.

SECTION 5. That for the purpose of defraying the cost of erecting said water works, the burgess and town council of said borough shall issue bonds in the name of said borough, not exceeding in the aggregate, sixty thousand dollars, in such form and in such sums as may be directed by said commissioners, bearing eight per cent. interest, payable at such time and places as said commissioners may direct; and the said bonds shall be free from taxation, except from state purposes. The said bonds shall be placed in the hands of the commissioners, but shall not be sold or negotiated by them at less than their par value.

Burgess and council to issue bonds.

Exempt from local taxation.

To be placed in hands of commissioners.

SECTION 6. The said commissioners and their successors are hereby authorized to fix and change, as occasion may require, a schedule of water rents, and collect the same from the owners or occupants of the premises where the water is used, either annually, semi-annually or quarterly, as they may deem best, and for this purpose they may appoint a collector and issue their warrant to him to collect the same by levy and sale in like manner as other taxes of any property on the premises or elsewhere belonging to the owner or occupant.

Commissioners may fix schedule of rents, and collect same.

SECTION 7. If the water rents, after paying necessary expenses and repairs, shall not be sufficient to meet the interest on said bonds, the deficiency shall be provided for by the said borough council. For this purpose they are hereby authorized and required, if need be, to set apart one half the borough taxes now authorized by law, and if that is not sufficient, to levy and collect a special water tax to meet any deficiency. But until the water rents shall be sufficient to meet the annual interest on said bonds, the rate of water rents on dwellings, stables, &c., and shall not be less than the following, to wit: Small dwellings fronting on courts or alleys, or small tenement houses on public streets, occupied exclusively as dwellings, for use of hydrants of convenient access, whether on the premises or not, each family, one room, charge three dollars; two rooms, six dollars; three rooms, seven dollars and fifty cents; four rooms, ten dollars; for each additional room, one dollar and fifty cents; all persons not on the main line of pipes, charged at reduced rates; dwellings fronting

If rents are insufficient to pay interest on bonds, council to provide for same.

Rate of rents fixed.

on public streets occupied exclusively as dwellings, for each family occupying the premises, charge for two rooms, seven dollars; three rooms, nine dollars; four rooms, twelve dollars; five rooms, thirteen dollars and fifty cents; six rooms, fifteen dollars; seven rooms, eighteen dollars; eight rooms, twenty dollars; nine rooms, twenty-two dollars; ten rooms, twenty-four dollars; each additional room, two dollars and fifty cents; baths supplied with cold water, each two dollars and fifty cents; baths supplied with cold and hot water, five dollars; baths supplied by separate ferrule from main, seven dollars and fifty cents; baths supplied by separate ferrule, each additional bath, five dollars; water closets for one, five dollars; water closets for each additional one, two dollars and fifty cents; wash basins and urinals in chambers, same rate; wash pavements of every description, five dollars; wash pavements used by more than one family, each three dollars and fifty cents; street and garden hose, two dollars and fifty cents to fifteen dollars; all additional fixtures or extra attachments for use of water, extra rates; stores, offices and workshops, wholesale and retail store and shop, five dollars to fourteen dollars; offices of professional men, companies, &c., five dollars to twenty-five dollars; druggists, barbers and bakers, special rates, (each tenant in the building charged according to the nature of business;) families, dwelling rates; water closets, self-closing, each five dollars; water closets, other description, six dollars and fifty cents; urinals self-closing, six dollars and fifty cents; urinals of other descriptions, seven dollars and fifty cents; hotels, restaurants and boarding houses, for family keeping house, dwelling rates; boarders five or under, six dollars; boarders over five and under ten, nine dollars; boarders over ten and under twenty-five persons, seventeen dollars; boarders, every twenty-five persons additional, nine dollars; bar with water fixtures inside, eight dollars to twenty-five dollars; bar without water fixtures inside, six dollars to seventeen dollars; wash basins and slop sinks, six dollars; water closets and urinals, self-closing, each seven dollars; water closets and urinals of other descriptions, nine dollars; baths for use of boarders, each eleven dollars and twenty-five cents; wash tubs in wash rooms, each two dollars and fifty cents; kitchen according to capacity and number of draw cocks, nine dollars to forty dollars; outside hydrants for watering horses, no troughs allowed, eight dollars and fifty cents to eighteen dollars; stables, livery stables per stall, two dollars and fifty cents; country stables per stall, one dollar and ten cents; horses not in livery stables, each two dollars and fifty cents; cows not in livery stables, each two dollars; each four wheeled carriage, two dollars and fifty cents; each two wheeled carriage, one dollar and ten cents; steam engines, each horse power ten hours per day, two dollars; distilleries, rectifiers, breweries and manufacturing establishments rated according to capacity and size of ferrule granted by special annual agreement; building purposes for each perch of stone, ten cents; for each thousand brick, sixteen cents; for each hundred yards of plaster, seventy-five cents; plastering done for a specified

sum, charge five per cent. on the amount; public bathing establishments, baths, each tub, twelve dollars; public schools each one hundred children, five dollars; fountains, special rates.

SECTION 8. The said commissioners and their successors, before entering upon the duties of their office, shall be duly sworn to perform well, truly and faithfully all the duties devolving upon them as commissioners; the board shall be organized by the election of a president, secretary and treasurer, and they shall have power to make rules for their own government, to appoint and employ all necessary officers, agents or workmen, and to establish and enforce all such rules and regulations as may be necessary and proper for the construction, repair, maintenance and successful operation of the works and for preserving the purity of the water; they shall receive no compensation for their time or services as commissioners, but they may appoint one of their numbers to take a more active oversight of the construction and management of the works, and allow him such compensation as his services may justify.

Commissioners to be sworn.

Organization.

Powers.

Not to receive compensation.

May appoint one of their number to give special superintendence to construction.

SECTION 9. The said commissioners and their successors shall immediately on the completion of the works, furnish the said council a particular and detailed statement of all cost and expenses in the construction of the works; and they shall also annually make to said council, a full and detailed report of all receipts and expense, and the condition of said works, and shall pay over to the borough treasurer, semi-annually, the balance of money in their hands.

To furnish statement of expenses of construction.

Report annually, and pay over balances.

SECTION 10. The water rents paid over by the commissioners and the taxes provided for in section seven of the act, shall be kept in the borough treasury, separate and apart from all other funds, and shall be appropriated exclusively to paying the interest on said bonds and providing a fund to pay the bonds at maturity; and if the water rents should not be sufficient to pay the bonds, when they fall due, the said borough council are hereby authorized to levy and collect a special tax for that purpose.

Rents and taxes to be kept separate.

How to be appropriated.

Special tax may be levied in certain case.

SECTION 11. If any person or persons shall wilfully and maliciously, in any manner, injure or damage the said water works or any part thereof, or cause any impurity or nuisance in the water, such person or persons shall be liable to an action, in the name of the commissioners, for the injury or damage done, and shall also be guilty of a misdemeanor, and on conviction thereof, in the quarter sessions of said county, shall be subject to a fine not exceeding five hundred dollars and imprisonment in the county jail, or work-house, not exceeding one year at the discretion of the court.

Punishment for injuring works or corrupting waters.

APPROVED—The 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 123.

A Further Supplement

To the charter of the Masonic Hall Association, Jenkintown, Montgomery county, to authorize them to issue bonds and secure the same by mortgage.

Directors may issue and sell bonds.

SECTION 1. *Be it enacted, &c.*, That the board of directors of the Masonic Hall Association of Jenkintown, Montgomery county, be and they are hereby authorized and empowered to issue bonds of the said Masonic Hall Association of a denomination of not less than one hundred dollars each, to an amount not exceeding fifteen thousand dollars, at a rate of interest not exceeding seven per centum per annum; to secure the said bonds by a mortgage of the real estate of the said Masonic Hall Association, and dispose of the said bonds in such way or manner and at such price as they may deem best.

Repeal.

SECTION 2. That so much of the second section of the charter which prohibits the directors from borrowing more than ten thousand dollars, at a rate of interest not exceeding six per centum per annum, be and the same is hereby repealed.

APPROVED—The 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 124.

An Act

To extend Pine street, from Salem to Bridge street, and to vacate Coal street, in the village of Archibald, Luzerne county.

Commissioners appointed to extend street.

SECTION 1. *Be it enacted, &c.*, That Elwood Jones, J. H. Campbell and Patrick Kearney, of Luzerne county, are hereby appointed commissioners, or a majority of them, to extend, for public use, Pine street, from Salem street to Bridge street, in the village of Archibald, Luzerne county, a distance in length of five hundred feet, from the northerly side of Salem street to the southerly side of Bridge street, and of the same width as the old portion of Pine street.

May vacate Coal street.

SECTION 2. That said commissioners, or a majority of them, are hereby authorized and directed forthwith, after Pine street is extended and ready for use, to vacate all that certain street, known and designated on the map of the village of Archibald as Coal street, and the title to the soil over which the same passes, shall be and the same is hereby vested

in fee simple for the owners of the ground adjoining and fronting upon Pine and Centre streets, to the middle line thereof, respectively, so far as their respective lots adjoin and front upon said street.

SECTION 3. That the commissioners named in the first section of this act, or a majority of them, shall make, acknowledge and file their report, together with a map of the street extended, and the one vacated, in the office for recording deeds in Luzerne county. To file report.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 125.

A Supplement

To an act incorporating the Huntingdon Academy, approved the nineteenth day of March, Anno Domini one thousand eight hundred and sixteen.

SECTION 1. *Be it enacted, &c.*, That the number of trustees of the Huntingdon Academy shall hereafter be seven instead of the number provided by the act to which this is a supplement, to be elected as provided for in the original act; and in case of neglect or failure to have the next annual election the present trustees, viz: Thomas Fisher, John Scott, W. P. Orbison, D. P. Gwin, William Dorris, Robert Milton Speer, Samuel T. Brown, R. A. Miller, John G. Miles, James Maguire, John Creswell, or a majority of them, shall and may, at any time, within one month after the time for annual election shall have passed, without choice of trustees, meet at the office of the treasurer of the board in the borough of Huntingdon, and then and there decide, by ballot, which seven of them shall continue to act as trustees; of which choice a record shall be made upon the minutes of the board; and the seven trustees so chosen, shall have all the powers conferred upon trustees by said original act; and they or those chosen hereafter to fill vacancies shall hold their office until their successors are duly elected and qualified; and a majority of the seven shall constitute a quorum to transact business. Number of trustees

On failure to hold election, present trustees to meet and decide who shall act.

Powers, &c.

SECTION 2. The trustees so chosen shall have power to borrow money, not exceeding ten thousand dollars, at a rate of interest, not exceeding seven per centum per annum, payable semi-annually, and issue bonds for the same for sums not less than one hundred dollars, payable at any time they may deem expedient, not exceeding ten years from the time of issue, and to secure the same by a mortgage upon the real estate of the corporation, signed by the president and attested by the secretary and treasurer, for the purpose of enlarging May borrow money and issue bonds.

and repairing the present buildings, and erecting such additional buildings and improvements as the trustees may deem necessary to promote the success of the academy.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 126.

An Act

Regulating the fees of the Sheriff of Wyoming county for boarding prisoners.

SECTION 1. *Be it enacted, &c.,* That the sheriff of the county of Wyoming shall hereafter receive such allowance for boarding, attending upon and washing for the prisoners confined in the jail of said county as may be fixed by the court of quarter sessions of said county, not exceeding fifty cents per day for each prisoner; and until otherwise fixed by said court the allowance shall be fifty cents per day, any provision in any other act of assembly to the contrary notwithstanding.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 127.

An Act

Supplementary to an act to enable the South ward, in the city of Chester, to procure a supply of water, approved March second, one thousand eight hundred and sixty-seven, authorizing the corporators of said ward to borrow money.

SECTION 1. *Be it enacted, &c.,* That the corporators of the South Ward water works, of the city of Chester, county of Delaware, are hereby authorized and empowered to borrow, on the faith and credit of said corporation, and to issue bonds in the usual form therefor, any sum or sums of money not exceeding twenty thousand dollars, in addition to the amount authorized heretofore by acts of assembly relating to said works.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 128.

An Act

Relating to the office of surveyor and civil engineer for the county Allegheny.

SECTION 1. *Be it enacted, &c.*, That within thirty days after the passage of this act, the judges of the district court and the judges of the court of common pleas of the county of Allegheny, shall appoint a citizen of said county, who shall be competent to discharge the duties of the office hereinafter provided for, to serve as surveyor and civil engineer for said county, until the first day of January, Anno Domini one thousand eight hundred and seventy-four, and until his successor shall be duly appointed and qualified, if he so long behave himself well; the said judges shall, on the last Saturday in November, in the year one thousand eight hundred and seventy-three, and upon the same day every third year thereafter, appoint one person competent as aforesaid, to serve as surveyor and civil engineer for said county, for the term of three years from the first day of January next ensuing and until his successor shall be qualified.

Surveyor and civil engineer to be appointed.

Term of office.

SECTION 2. Said surveyor and civil engineer shall have authority to appoint a deputy, who shall be subject to removal and discharge by him at his pleasure.

May appoint deputy.

SECTION 3. Before entering upon the duties of his office, said county surveyor and engineer shall give bond to said county, with at least two sureties, in the sum of ten thousand dollars, to be approved by the court of common pleas of said county, conditioned for the faithful performance of his duties and those of his deputy; the county surveyor and engineer and his deputy, shall also take and subscribe an oath or affirmation, well and faithfully to perform their official duties; said bond and oaths or affirmations to be recorded in the recorder's office of said county, and then filed and kept in the controller's office of said county, and the record thereof or certified copies of the same shall be used in all judicial proceedings with the same effect as the original.

To give security.

He and deputy to be sworn.

Bond and oath to be recorded and filed.

SECTION 4. The salary of said county surveyor and engineer shall be twenty-five hundred dollars per year, and that of his deputy shall be twelve hundred dollars per year, to be paid monthly by warrants drawn on the county treasurer.

Salaries.

SECTION 5. The said county surveyor and engineer shall have general supervision and control of the planning, letting and building of all county structures, including county bridges, when ordered by the proper authority to be built, and the care and protection of the same against damage, decay or destruction after they are built, and shall either in person or by deputy, act as artist in all road and bridge views and divisions of townships, where the same may be ordered by the court, and shall without other fee than his regular salary, per-

Powers and duties.

form either in person or by deputy, all surveying whatsoever in said county, where the fees prior to the passage of this act were a charge upon the county treasury, and he shall within a reasonable time after his appointment and entering upon his office, and annually thereafter, before the time fixed for making the annual appropriations for county purposes, prepare or caused to be prepared full and complete duplicate lists of all the county bridges with their location, character, condition, estimates of amounts needed for repairs, if any required, and any suggestions pertinent thereto, one copy of which shall be filed in his own office, and one copy filed in the office of the commissioners of said county; he shall also, subject to the approval of the controller and commissioners of said county, adopt regular printed forms for receiving proposals for letting, and prepare printed or written plans and specifications for work ordered to be done.

Office.

Printing and stationery, how furnished.

Plans, plots, &c., to be kept in office.

Repeal.

SECTION 6. The said surveyor and engineer shall keep his office in a building or rooms to be furnished and supplied at the expense of said county, and all necessary printing and stationery for the same shall be furnished in like manner; in which office shall be kept all plans, plots and papers pertaining to the public improvements of the said county, excepting those plans, plots and papers which now or may hereafter be provided by law to be recorded in the recorder's office for said county or filed of record in the office of the clerk of court of quarter sessions in said county.

SECTION 7. All acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 129.

An Act

Authorizing the issue of bonds of the Pennsylvania Horticultural Society, and the securing by mortgage and disposal of the same.

SECTION 1. *Be it enacted, &c.,* That it shall be lawful for the board of officers of the Pennsylvania Horticultural Society, known as the directors of the Horticultural hall, to issue bonds of the said Horticultural Society to such amount, not exceeding sixty thousand dollars, as they may deem advisable, bearing interest not exceeding the rate of eight per centum per annum, with or without provision for the payment of taxes on the said bonds, and to secure the same, or any part thereof, by mortgaging the real estate of the said Pennsylvania Horticultural Society; and it shall also be lawful for

the said directors to dispose of the said bonds at such price, and in such way or manner, as they may deem best: *Provided*, That this act shall be first accepted by the Pennsylvania Horticultural Society, and also by the holders of the Horticultural hall stock, issued by said society: *And further provided*, That the acceptance by the Horticultural Society may be at any regular stated meeting, but the acceptance by the stockholders shall be expressed by a stock vote, taken at a special meeting of said stockholders, called by the president, by advertisement published in two newspapers in the city of Philadelphia twice a week for two weeks before the day appointed for such meeting: *Provided also*, That the amount of bonds issued under this act, and the act approved May twentieth, one thousand eight hundred and seventy-one, shall not exceed sixty thousand dollars, and that no bond shall be issued of a less denomination than one hundred dollars.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 130.

A Further Supplement

To an act, entitled "An Act relating to the fees salaries and duties of certain county officers in Allegheny county," approved the sixth day of April, one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That so much of the eleventh section of an act, entitled "An Act relating to the fees, salaries and duties of certain county officers in Allegheny county," approved the sixth day of April one thousand eight hundred and seventy-one, as requires the register of said county to pay his commissions on collateral inheritance tax into the county treasury, as other fees provided for in said act, be and the same is here by repealed.

Register not required to pay into county treasury commissions on collateral inheritance tax.

SECTION 2. The said register shall take and receive such commissions as he is now entitled by law to take and receive, and shall have the same as emoluments and fees in addition to the salary now allowed to him by law.

To receive commissions as fees.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 131.

A Supplement

To an act, entitled "An Act to better secure the payment of municipal claims and taxes in the borough of South Chester," approved April third, one thousand eight hundred and seventy-two, and regulating the election of borough officers, and empowering said borough to borrow money.

Election of burgess regulated.

SECTION 1. *Be it enacted, &c.,* That at the next general election for borough officers in the borough of South Chester, and every second year thereafter at said general election, one person shall be chosen as now qualified by law as burgess, who shall hold his said office for the term of two years.

Election of councilmen.

SECTION 2. At the time and place appointed for the next election for burgess, six persons as qualified by existing laws, shall be chosen as a borough or town council, two of which said persons shall hold said office for one year, two persons for two years, and two persons for three years; and at each subsequent annual election two persons shall be chosen for said office, who shall hold the same for the term of three years.

Burgess and council may borrow money and issue certificates therefor.

SECTION 3. That the burgess and town council of the said borough, are hereby authorized and empowered to borrow in the name, and upon the name and credit of said borough, any sum or sums of money, not exceeding in the whole two dollars on every one hundred dollars of the assessed value of the real and personal estate in the borough, as assessed for county purposes, and to issue certificates therefor in the name of the said borough of South Chester, under the corporate seal, attested by the burgess and treasurer or secretary, to the purchasers of said loan, in such sums as said borough authorities may see proper, and bearing such rate of interest not exceeding seven per centum per annum, and redeemable at such time as may be agreed upon, and to levy, assess and collect such taxes from time to time as may be necessary to pay the interest on such loans, and to redeem the principal at such time and in such manner as may be conformable to the terms upon which the same shall have been issued and taken.

Levy taxes to pay interest and redeem loans.

Filing and collection of municipal claims, relative to.

SECTION 4. The act to which this is a supplement, entitled "An Act to better secure the payment of municipal claims and taxes," approved April third, one thousand eight hundred and seventy-two, shall not be taken or construed to require more than one claim to be filed, or more than one *scire facias* where duly served, or two *scire facias* where returned "*nihil*," to be issued upon any claim now filed, or hereafter to be filed, in cases where the amount of said claim is made payable in yearly proportions or instalments, and in all such cases the claim filed shall be for the entire amount of the said claim, and the judgment thereon shall be for the full sum claimed: *Provided*, That the execution to be issued thereon shall be stayed upon

the payment of the annual proportion or proportions then due, with interest and costs for collection, at any time before actual sale of the premises under said execution; and in case of default in the payment of the next or any subsequent instalment, execution may from time to time issue for the entire balance with interest and costs as above provided, and no additional assessment shall be deemed necessary in any case where the claim filed states the entire amount due, and the proportion thereof payable for the first annual assessment.

SECTION 5. Claims for general or special taxes lawfully imposed and in arrear, may be filed at any time within two years from and after the first Monday in November, in the year following that in which the said taxes may have become due and payable.

When claims for taxes may be filed.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 132.

An Act

Entitled "An Act for floating logs out of Tuneangwant creek in the county of M'Kean."

SECTION 1. *Be it enacted, &c.*, That the owners of timber land on the branches of the Tuneangwant creek, at and above the village of Bradford, in M'Kean county, shall have the right to put saw logs, taken from said lands, in the branches of said stream and float the same down by the use of dam or otherwise; and in case any person owning lands on said stream, shall be damaged by running logs in the manner hereby provided for, which he is legally entitled to compensation, the same proceeding shall be had as provided in the third section of the act, entitled "An Act to incorporate the Bald Eagle Boom Company in Clinton county," approved April thirteenth, one thousand eight hundred and fifty-nine.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 133.

An Act

To extend the charter of the Hanover Savings Fund Society of the county of York.

SECTION 1. *Be it enacted, &c.,* That the charter of the Hanover Savings Fund Society of the county of York, be and the same is hereby extended for the period of twenty years, from the expiration of the present charter, subject to all the provisions and restrictions contained in the original act of incorporation and the supplements thereto, and to all the provisions and restrictions contained in the several acts and their supplements, providing for the regulation of saving fund societies in this commonwealth.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 134.

A Further Supplement

To an act, entitled "Act Act to provide for the re-examination and re-settlement of the accounts of certain public officers of the county of York, from and after the first day of January, Anno Domini one thousand eight hundred and sixty," approved the sixth day of March, Anno Domini one thousand eight hundred and seventy-two.

Appeals from reports of auditors authorized.

SECTION 1. *Be it enacted, &c.,* That all persons against whom account or accounts have been filed, or may hereafter be filed, by the auditor or auditors appointed by the act to which this a further supplement, may enter their appeal or appeals by giving bail for costs merely as in case of appeal from the award of arbitrators.

Auditors may open accounts and amend same.

SECTION 2. That the said auditors may, upon application made, open any account or accounts filed by them, and hear evidence and re-examine the same, and it shall be lawful for them to alter or amend such account or accounts as by them may be deemed necessary and proper, and should they make any change or alteration therein, then to file amended or altered accounts with like effects as the original account or accounts.

APPROVED—The 24th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 135.

A Supplement

To repeal and supply a part of section second of an act, entitled "An Act to incorporate the Big Spring Turnpike Road Company," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

WHEREAS, By said act of twenty-fifth March, one thousand eight hundred and seventy-one, it is enacted as follows: "Section second, That the capital stock of said company shall consist of twenty thousand shares, of fifty dollars each," thereby making the capital stock of said company one million of dollars to construct a turnpike of four and one-half miles in length, which number of shares is error, and was duly intended to be two hundred shares, at fifty dollars each, making the capital stock ten thousand dollars; therefore,

SECTION 1. *Be it enacted, &c.*, That the capital stock of the Big Spring Turnpike Road Company shall consist of two hundred shares, of fifty dollars each; and that so much of section second of said act, approved March twenty-fifth, Anno Domini one thousand eight hundred and seventy-one, as is inconsistent herewith, be and the same is hereby repealed.

APPROVED—The 25th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 136.

An Act

Relating to sheriff's sales of real estate in the county of Allegheny, providing for the appraisement of the same before sale, and giving the right to redeem.

SECTION 1. *Be it enacted, &c.*, That it shall be the duty of the sheriff of the county of Allegheny, if the defendant in the writ shall so require in writing to said sheriff before exposing to sale any real estate or interest therein, upon any *fi. fa., lev. fa. or vend. ex.* to cause the same to be appraised, under oath, by three disinterested freeholders of the county; the opinion of a majority of said appraisers as to the value of the land to prevail; and the said appraisement shall be signed by the said appraisers, or the two concurring therein, and returned by the sheriff with the execution; the said appraisers to receive as compensation the sum of three dollars for each day employed by them, to be taxed and paid as costs in the case.

On request made, sheriff to have real estate appraised before sale.

Compensation of appraisers

Right to redeem,
relative to.

SECTION 2. If the real estate so appraised, does not, when sold by the sheriff, bring two-thirds of the appraised value thereof, the defendant, or his heirs or assigns, shall have the right to redeem the same, within one year from the day of sale, by paying the purchaser, or his heirs or assigns, the amount of his bid and interest thereon, at the rate of ten per centum per annum, who upon payment or tender thereof, shall be required to execute and deliver a deed to the defendant for the real estate so sold.

APPROVED—The 25th day of February, 1873.

J. F. HARTRANFT.

No. 137.

A Further Supplement

To an act to incorporate the city of Williamsport, approved the twenty-second day of March, Anno Domini one thousand eight hundred and seventy, explanatory of the twenty-seventh and twenty-eighth sections of said act.

SECTION 1. *Be it enacted, &c.*, That the true intent and meaning of said section of said act, that the city treasurer shall pay the entire amount of the interest due on said bonds, as mentioned in said coupons, to the holder thereof, and that the entire amount of each of said coupons as mentioned in the twenty-eighth section of said act, shall be receivable as cash in payment for the taxes as therein mentioned, and it shall be lawful to present coupons of said bonds for payment at the said treasurer's office, in the said city, instead of at the Central National Bank of New York.

APPROVED—The 26th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 138.

A Supplement

To an act to incorporate the Church Extension Society of the Methodist Episcopal Church of the United States of America, approved the thirteenth day of March, Anno Domini one thousand eight hundred and sixty-five, and to an act supplementary thereto, approved March eleventh, Anno Domini one thousand eight hundred and sixty-nine.

Preamble.

WHEREAS, The General Conference of the Methodist Episcopal church, at a session held in the city of Brooklyn, in the State of New York, did on the twenty-eighth day of May,

Anno Domini one thousand eight hundred and seventy-two, provide for the appointment of a Board of Church Extension of the Methodist Episcopal Church, and did on the first day of June, one thousand eight hundred and seventy-two, designate the persons constituting the board of managers of the Church Extension Society of the Methodist Episcopal Church, incorporated by an act of the general assembly of the state of Pennsylvania, entitled "An Act to incorporate the Church Extension Society of the Methodist Episcopal Church, of the United States of America," approved the thirteenth day of March, Anno Domini one thousand eight hundred and sixty-five, to constitute said board of church extension :

And whereas, The Church Extension Society of the Methodist Episcopal Church, incorporated as aforesaid, did at the regular annual meeting of the said society duly convened in the city of Philadelphia, on the twenty-second day of November, Anno Domini one thousand eight hundred and seventy-two, unanimously concur with the aforesaid action of the general conference of the said Methodist Episcopal church :

And whereas, The board of managers of the said Church Extension Society of the Methodist Episcopal Church, has in pursuance of the action of the said society, and of the action of the general conference aforesaid, petitioned the general assembly of the state of Pennsylvania for an act amendatory to the act of incorporation of said Church Extension Society, to conform with the action of said Church Extension Society, and of the general conference of the Methodist Episcopal church as hereinbefore recited ; now therefore,

SECTION 1. *Be it enacted, &c.*, That the name of the said corporation be and is hereby changed from that of the Church Extension Society of the Methodist Episcopal Church, to that of the Board of Church Extension of the Methodist Episcopal Church.

Name changed.

SECTION 2. That section first of the original act aforesaid, be amended by striking out of the proviso in the concluding clause of said section, the words "ten thousand dollars," and inserting the words "one hundred thousand dollars," so that the said proviso shall read as follows : "*Provided*, That the real estate of the said board shall not exceed the net yearly income of one hundred thousand dollars."

Income from real estate increased.

SECTION 3. That it shall be lawful for the said board of church extension to accept contributions to the funds of the said board from any person or persons capable of making the same, subject to annuity, payable to the persons making such donations : *Provided however*, That all amounts so received shall be loaned by said board on adequate securities : *And provided further*, That the aggregate amount of annuities that the said board shall assume to pay, shall never be allowed to exceed the annual interest receivable on the loans made by the said board.

May accept contributions subject to annuities.

SECTION 4. That section third of the original act aforesaid, be amended to read as follows : "That the said board of church extension shall be appointed by the general conference of the said Methodist Episcopal church, and perpetuated in the manner set forth in the book of discipline of said

How board to be appointed and perpetuated.

Direction and control.

church; and the said board shall be under the direction and control of the general conference of the said Methodist Episcopal church, in all things not inconsistent with the constitution and laws of the United States, and of the state of Pennsylvania."

Present managers to constitute board until next session of conference.

SECTION 5. That the present board of managers of the Church Extension Society aforesaid, shall constitute the said board of church extension until the next ensuing session of the general conference of the Methodist Episcopal church, and until their successors are duly appointed, as provided in the preceding section.

Repeal.

SECTION 6. That sections fourth, sixth, seventh and seventeenth of the original act aforesaid, and the whole of the act supplementary thereto, with the exception of section fifth, be and the same are hereby repealed.

When to take effect.

SECTION 7. That this act shall take effect from and after the date of its approval.

APPROVED—The 26th day of February, A. D., 1873.

J. F. HARTRANFT.

No. 139.

A Supplement

To an act to incorporate the Shoe and Leather Savings Bank of the city of Pittsburg, county of Allegheny, approved March seventh, one thousand eight hundred and seventy-two.

Stockholders may increase capital.

SECTION 1. *Be it enacted, &c.*, That the stockholders at any general or special meeting shall have the power to increase the capital stock to any sum, not exceeding five hundred thousand dollars; shares of said increased capital to be disposed of in such a manner as the board of directors may deem best.

Certain words stricken out.

SECTION 2. That the words "but not in excess of its capital stock subscribed," in section four, and also the words, "in addition thereto," in section thirteen, be and the same are hereby stricken out.

Directors may change name.

SECTION 3. That the board of directors shall have the power to change the name of said bank: *Provided however*, That such change shall in nowise release the bank from any obligation or contract entered into.

APPROVED—The 26th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 140.

A Supplement

To an act incorporating the Safe Deposit and Trust Company of Wheatland, approved the fifth April, Anno Domini one thousand eight hundred and seventy-two, increasing the number of directors and changing the par value of the stock from one hundred to fifty dollars per share.

SECTION 1. *Be it enacted, &c.*, That the number of directors of said bank shall hereafter be twelve, and the par value of the shares of stock shall be fifty dollars each instead of one hundred dollars: *Provided*, A majority of the stockholders shall authorize such change, and the rights of no stockholder shall be impaired thereby.

APPROVED—The 26th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 141.

An Act

To incorporate the Reform Club of Philadelphia.

WHEREAS, An association has been formed in the city of Philadelphia, for the purpose of promoting the cause of municipal reform in the said city, by the means of mutual intercourse and discussion, and the members thereof are desirous of being incorporated to that end; therefore, Preamble.

SECTION 1. *Be it enacted, &c.*, That John Welsh, Charles Wheeler, Henry C. Lea, R. Rundle Smith, Anthony J. Drexel, George W. Childs, J. B. Lippincott, Henry Lewis, L. P. Ashmead, Wm. Massey, Henry B. Tatham, James L. Claghorn, John Price Wetherill, N. B. Brown, Wm. G. Moorehead, Dr. E. Morwitz, Joseph Patterson, Moro Phillips, Joseph F. Tobias, James Dougherty, Franklin B. Gowen, Matthew Baird, Wm. P. Jenks, Joseph Harrison, Henry Wharton, Henry C. Gibson, Wm. H. Merrick, John E. Cope, John S. Newbold, Samuel Dickson, Henry Armitt Brown and Joseph I. Doran, and such other persons who are now and shall hereafter become associated with them for the purpose aforesaid, are hereby created a body politic and corporate in the Corporators.

Title.	law, and by the name, style and title of the Reform Club of Philadelphia and by the same style and title shall have perpetual succession, may sue and be sued and impleaded in all courts of record or otherwise, may purchase, take and hold by gift, grant, demise, bargain and sale, devise and bequest, or by any other lawful means of conveyance, lands, tenements, goods and chattels, and estate, real or personal, or mixed, and the same or any part thereof, from time to time, may sell, alien, mortgage, or otherwise dispose of, and may have a common seal which they may alter and renew at their pleasure: <i>Provided</i> , That the clear yearly value or income of the property and estate held by the said corporation, except such real estate as shall be actually occupied by them for their corporate purposes, shall not exceed ten thousand dollars.
Privileges.	
Income limited.	
Officers.	SECTION 2. The affairs and business of the said corporation shall be managed by a president, four vice presidents and a board of fifteen governors, who shall be elected at an annual meeting of the members, to be held on the last Wednesday of November in each year, and shall hold office till their successors shall be duly appointed, and until the next annual election hereafter; the present officers of the association shall fill the corresponding offices in the corporation; the other officers shall be designated, and their mode of election determined by the by-laws.
Rights, powers, &c	SECTION 3. The said corporation shall have such other rights, powers and authorities as are defined and granted in and by the third section of an act of the general assembly of the commonwealth, entitled "An Act to incorporate the Union League of Philadelphia," approved the thirtieth of March, one thousand eight hundred and sixty-four. APPROVED.—The 27th day of February, A. D. 1873. J. F. HARTMAN.

No. 142.

An Act

To define the qualifications and provide for the manner of electing the officers of the United Firemen's Insurance Company of the city of Philadelphia, and to permit said corporation to insure against loss by fire in such places as the board of directors may permit.

Qualifications of officers.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall not be necessary for the president, directors or other officers of the United Firemen's Insurance Company of the city of Philadelphia, to be members of any fire company, but they shall be citizens of the commonwealth of Pennsylvania, and as to the president and directors, each

of them shall be the owners in their own right of at least ten shares of the capital stock of said corporation, at the time of their election, and for at least thirty days prior thereto.

SECTION 2. The officers of this corporation shall consist of a president, vice president and nine directors, and such other officers as they may direct; the election for the president, vice president and directors shall be by ballot, and each stockholder shall be entitled to cast one vote for each share of stock held by him or her at the time of said election: *Providing*, That said stock shall have been on the books in the name of said stockholder of said corporation, at least thirty days prior to said election.

Of whom to consist.
Elections.

SECTION 3. That so much of the twelfth section of the act of general assembly of the commonwealth, entitled "An Act to incorporate the United Firemen's Insurance Company of the city of Philadelphia," approved April second, Anno Domini one thousand eight hundred and sixty, as limits the right of said company to insure against fire to the city of Philadelphia only, be and the same is hereby repealed, and they are hereby authorized to insure against loss by fire in such places and on such terms as the board of directors of said company may direct.

Not restricted to Philadelphia in effecting insurance.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 143.

An Act

Authorizing the Perkiomen Railroad Company to borrow money, and to authorize any railroad company to guarantee the payment thereof.

SECTION 1. *Be it enacted, &c.*, That the Perkiomen Railroad Company may, for the purpose of completing its road and of retiring its obligations, or for such other purposes as they may deem best calculated to promote the interests of said company, secure such issues of bonds as they may deem advisable to make, not exceeding four millions of dollars, bearing such rate of interest not exceeding seven per cent. per annum, with or without provision for the payment of taxes on said bonds, and payable at such times as the said company may provide by mortgaging, from time to time, the whole or any part of its said railroads, real and personal estate, and corporate rights and franchises acquired or to be acquired, and may dispose of said bonds at such price and in such manner as they may determine; and any such mortgage may, at the option of the said company, be made to secure bonds to be subsequently issued as well as those issued prior to or contemporaneously with the date of the said in-

strument; and any other railroad company chartered by the Legislature of this state, is hereby authorized and empowered to guarantee the payment of the whole or any part of the bonds, or interest coupons, or both, issued in pursuance of the provisions of this act.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 144.

An Act

Authorizing the trustees of Capouse Lodge number one hundred and seventy, Independent Order of Odd Fellows, of Hyde Park, to borrow money and issue bonds.

SECTION 1. *Be it enacted, &c.*, That Worthy Carver, Alfred Godshall and Thomas Evans, trustees of Capouse Lodge number one hundred and seventy, Independent Order of Odd Fellows, or their successors in office, shall have the power and they are hereby authorized at any time, to borrow any sum of money not exceeding fifteen thousand dollars, at any rate of interest not exceeding legal rates, and to issue bonds therefor and to pledge the property held in trust by them for said lodge, by mortgage or otherwise, for the security and repayment of the same: *Provided*, That no bond for such loan shall be for a less sum than one hundred dollars.

APPROVED—The 26th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 145.

A Further Supplement

To an act, entitled "An Act granting a pension to Jacob Hurst," passed March twenty-seventh, Anno Domini one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted, &c.*, That the state treasurer is hereby directed to pay said Jacob Hurst, late private in company I, commanded by Captain F. S. Boas, in the Twentieth regiment, Pennsylvania militia, commanded by Colonel W. B. Thomas, a further pension, to wit: The sum equal to the

amount of seven dollars per month, from the twenty-sixth day of September, Anno Domini one thousand eight hundred and sixty-two, to the first day of January, Anno Domini one thousand eight hundred and sixty-seven, making the whole amount received by the said pensioner, during the said period, equal to the sum of fifteen dollars per month.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 146.

An Act

To fix monthly return days in the courts of Cambria, Susquehanna and Somerset counties.

SECTION 1. *Be it enacted, &c.*, That every writ for the commencement of an action issued out of the court of common pleas of Cambria, Susquehanna and Somerset counties, shall bear date on the day of the issuing thereof, and may be made returnable as follows, namely: On the first Monday of each and every month, as well as the first day of each and every term of said courts, except summons in partition, which shall be returned on the first day of the then next term; and such process may be directed to be returned to either of the said monthly return days which may happen before the next term, or to the first return day of the next term, at the option of the party taking out the same, or in case there should not be ten days between the issuing thereof and the first day of the next term, the same may be made returnable on any Friday of the term, or on the next monthly return day thereafter, or to the first day of the next succeeding term; and in all suits instituted in said courts, when returns of such process are directed to be made to a monthly or other return day, the party may obtain such return, file declarations and other pleadings, take judgments for want of appearance or affidavits of defence, put causes at issue and have them tried, and do all other matters and things in the prosecution of suits that might be done if the said writs had been returned on the first day of any term of said courts; and the stay of execution allowed by the third and fourth sections of the act, entitled "An Act relating to execution," approved June sixteenth, one thousand eight hundred and and thirty six, shall count from the return day at which the original process issued was made returnable.

Teste and return
of writs.

When stay of execution to be computed from.

SECTION 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

Repeal.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 147.

A Supplement

To an act, entitled "An Act to ascertain and appoint the fees to be received by the several officers of this commonwealth," approved the second day of April, Anno Domini one thousand eight hundred and sixty-eight, relative to the fees of the orphan's court of York county.

Fees for receiving and distributing money paid into court.

SECTION 1. *Be it enacted, &c.*, That the clerk of the orphans' court of York county shall be allowed for receiving and distributing money paid into court, for each dollar under five hundred, two cents, for each dollar exceeding five hundred, one cent.

Bonds filed, to be recorded.

SECTION 2. That from and after the passage of this act all bonds filed in the said court, by executors, administrators, trustees and guardians, shall be entered of record, and the said clerk shall be allowed to charge for recording the same, in addition to the filing thereof, one cent for every eight words or sixteen figures.

Fees.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 148.

A Supplement

To an act, entitled "An Act for the better protection of sheep in the county of Erie," approved March thirtieth, one thousand eight hundred and seventy-two.

Taxes on dogs.

SECTION 1. *Be it enacted, &c.*, That the commissioners of Erie county are authorized to levy, and cause to be collected from the owners of the dogs returned to them by the several assessors of said county in accordance with the requirements of the act to which this is a supplement, taxes as follows, to wit: For each dog, one dollar; for each bitch, two dollars; an additional dollar for each dog or bitch after the first one owned, kept or harbored by the same person.

Damages to be paid from tax fund in certain cases.

SECTION 2. If the owner of a dog, which has damaged sheep of a resident of said county, is known, but shall be proved to the satisfaction of the county commissioners to be so poor that the amount of such damages cannot be collected from him by process of law, then said commissioners shall grant, to the person sustaining such damage, a warrant therefor, upon the fund arising from the tax on dogs, and if legal proceedings have been taken for the collection of dam-

ages from such owner, and execution returned no goods, the costs of the justice and constable in such case shall also be paid from said fund.

SECTION 3. Any act or part of act ineonsistant herewith ^{Repeal.} is hereby repealed.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 149.

An Act

For the relief of William F. Clark and J. K. Peterson, sureties of Benjamin Davis, late tax collector for Shirley township, in the county of Huntingdon.

SECTION 1. *Be it enacted, &c.,* That William F. Clark and J. K. Peterson, of the township of Shirley, in the county of Huntingdon, be and they are hereby relieved and exonerated from the payment of any further sum or sums of money to the said county, or to any other person or corporation, for or on account of their liability as bail or surety for Benjamin Davis, late tax collector for Shirley township aforesaid.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 150.

An Act

To prevent cattle, horses, sheep and hogs from running at large in Berlin township, Wayne county.

SECTION 1. *Be it enacted, &c.,* That the provisions of an act, entitled "An Act to prevent cattle, horses, sheep and hogs from running at large in Farmington and Columbus townships, Warren county," approved the fifteenth day of March, one thousand eight hundred and seventy, be and the same is hereby extended to the township of Berlin, in Wayne county

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 151.

An Act

To authorize the sale of a lot of ground belonging to the German Lutheran church of Berwick.

Preamble.

WHEREAS, Evan Owen and wife, by their indenture dated the fifth day of May, Anno Domini one thousand seven hundred and ninety-four, duly executed and recorded in the recorder's office of Columbia county, deed book M, pages two hundred and twenty-nine and two hundred and thirty, did grant and convey (among other lands) a certain lot of land therein fully described, situate in the borough of Berwick, Columbia county, Pennsylvania, unto Jacob Kisner, William Martz, and Sebastian Seybert, and their successors in office, in trust for the purpose of erecting thereon a church, school house and other suitable improvements for the use of the German Lutheran church of Berwick and vicinity.

And whereas, The said German Lutheran church by their trustees received and held the same, but have not erected any improvements thereon, by reason of it being entirely unsuitable for the purposes for which it was donated, and they are desirous of disposing of the said lot of land in fee simple; therefore.

Sale of lot authorized.

SECTION 1. *Be it enacted, &c.,* That the trustees of the German Lutheran church of Berwick, county of Columbia, in said commonwealth, be and they are hereby authorized and empowered at any time or times hereafter, to grant, bargain and sell or exchange all that certain lot of land conveyed by Evan Owen and wife, by their deed dated the fifth day of May, Anno Domini one thousand seven hundred and ninety-four, to certain persons and their successors, who were trustees for the members of said society, either at public or private sale in fee simple, and to convey and assure the premises and hereditaments so sold to the purchaser or purchasers thereof, free, clear, and forever discharged of and from all and every the trusts, estates, limitations and conditions expressed or contained in the indenture or legal assurances relating thereto, so that the said purchaser or purchasers shall take and hold the said premises, without any liability or limitation whatever on their part, or subject to any trust or trusts, or uses whatsoever; and such conveyance or conveyances shall vest a perfect and indefeasible title to the said premises so sold to the purchaser or purchasers thereof, their heirs and assigns forever.

How proceeds to be appropriated.

SECTION 2. That the trustees aforesaid are hereby authorized and required to appropriate the proceeds of the sale of the said lot to the purchase of a suitable lot, on which to erect a church and other improvements, to be situate within the said borough of Berwick.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 152.

A Supplement

To an act, entitled "An Act to authorize the qualified electors of Brady's Bend township, Armstrong county, to elect five persons as the trustees of the Brady's Bend cemetery," approved the sixth day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted, &c.*, That hereafter the right to Vote at elections for trustees of the Brady's Bend cemetery, shall belong to and be exercised only by such persons as may, at the time of any such election, own or hold a lot or lots in said cemetery; and the president of the board of trustees shall give notice for such elections in accordance with this act. Right to vote at elections for trustees.

SECTION 2. That all elections for trustees shall be held on the first Saturday of May, commencing at two (2) o'clock and closing at four (4) o'clock P. M., afternoon. When elections to be held.

SECTION 3. That all provisions of an act, entitled "An Act to authorize the qualified electors of Brady's Bend township, Armstrong county, to elect five persons as trustees of Brady's Bend cemetery," approved the sixth day of April, Anno Domini eighteen hundred and fifty-eight, inconsistent with this act, are hereby repealed. Repeal.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 153.

An Act

To provide for the election annually, by the qualified voters of Codorus township, in the county of York, and State of Pennsylvania, of but one constable instead of two as heretofore.

SECTION 1. *Be it enacted, &c.*, That the qualified voters of the township of Codorus, in the county of York, shall at the next election to be held for township officers of said township, and annually thereafter, elect but one constable instead of two as heretofore, the person receiving the highest number of votes to be declared the constable, and he only. But one constable to be elected.

SECTION 2. That all laws or parts of laws inconsistent with section one of this act be and the same are hereby repealed. Repeal.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 154.

An Act

To reduce the expense of collecting state and county taxes in the county of Mercer.

Five per cent. to be added to taxes of delinquents.

SECTION 1. *Be it enacted, &c.,* That in case of default of payment of any state and county taxes in the county of Mercer, as provided in section three of an act, approved the third day of April, Anno Domini eighteen hundred and fifty-one, entitled "An Act to reduce the expenses of collecting state and county taxes in the county of Venango, and other purposes," and extended to Mercer county by an act approved the nineteenth day of January, eighteen hundred and fifty-three, after the period of thirty days from the first day of August of each year, when the treasurer of said county of Mercer shall have issued his warrant to a constable or collector appointed, a penalty of five percent. in addition to taxes assessed, shall and may be made by said constable or collector, which said percentage the said constable or collector shall collect of the defaulting tax-payer, and on settlement of his account with the said treasurer, he shall be allowed said percentage which shall be in full compensation for his services as collector.

To be allowed collectors as compensation.

Repeal.

SECTION 2. All laws or parts of laws hereby supplied or inconsistent with the provisions of this act, be and the same are hereby repealed.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 155.

A Supplement

To an act, entitled "An Act to reduce the expenses of collecting state and county taxes in the county of Venango, to incorporate the Greenville and Ohio State Line Plank Company, and authorize the appointment of an auctioneer in the county of Lawrence," approved the third day of April, Anno Domini one thousand eight hundred and fifty-one.

County commissioners may appoint collector in certain cases.

SECTION 1. *Be it enacted, &c.,* That in all cases where a constable of any township, ward or borough within the county of Venango, shall fail to qualify or give security as provided by the act to which this is a supplement, on or before the

first day of June of each year, or where the citizens of any township, ward or borough, in said county, shall fail to elect a constable, the county commissioners of said county of Venango, shall be authorized to appoint a collector in his stead, and for said township, ward or borough, who shall upon giving security and becoming qualified as required of the constable, proceed with like power and authority, and under the same liabilities as constables are now authorized to do by the provisions of the act to which this is a supplement, and the several acts supplementary thereto.

SECTION 2. That the bond required from any constable or collector under the provisions of the act to which this is a supplement and the acts supplementary thereto, shall be conditioned for the faithful discharge of the duties imposed upon such constable or collector by the said original act and the several supplements thereto, and for the payment to the proper county treasurer of the full amount of taxes contained in any warrant and schedule, or duplicate, which shall be delivered to him or them by the county treasurer of said county, after deducting exonerations and percentage for collection, on or before the thirty-first day of December next, after the delivery of such warrant and schedule or duplicate.

Condition of bond
of constable or col-
lector.

SECTION 3. That so much of any law as is hereby altered or supplied, is repealed so far as relates to the county of Venango.

Rep. 2

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 156.

An Act

In relation to the collection of State mercantile licenses by the treasurer of the city of Allegheny.

SECTION 1. *Be it enacted, &c.*, That hereafter the fees allowed to the treasurer of the city of Allegheny, for the collection of state mercantile licenses, shall be the same as those now allowed by law to the treasurers of the city of Pittsburg and of the county of Allegheny.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 157.

An Act

To incorporate the Titusville Citizen's Corps.

Preamble.

WHEREAS, A number of citizens of Titusville, in the county of Crawford, in this commonwealth, on the tenth day of June, one thousand eight hundred and seventy-two, organized a volunteer military company, under the name of the Titusville Citizen's Corps, and perfected said organization by the election of officers and the purchase of uniforms and muskets, at their own expense, and have since been regularly drilled, and have paraded in public; and said organization has increased until it now contains on its roll one hundred and twenty-five members, officers and men included:

And whereas, The said organization desires to become a corporation:

Corporators.

SECTION 1. *Be it enacted, &c.,* That William H. Abbott, Oliver Keese, W. B. Roberts, W. B. Sterret, D. H. Cady, William Varian, Henry Harley, H. Byrom, M. E. Bassett, E. G. Patterson, J. Foster Clark, J. B. Olmsted, F. W. Andrews, James Parshall, J. H. Cogswell, G. K. Anderson, F. W. Ames, John J. Carter, S. Grumbine, H. B. Cullum, W. W. Thompson and W. H. Wallace and their associates, who are now members of the said Titusville Citizen's Corps, of the county of Crawford, in this commonwealth, and all others who shall hereafter become members of the same, shall be and are hereby created and declared to be a body politic and corporate, by the name, style and title of the Titusville Citizen's Corps, and by the same name shall have perpetual succession, and shall be able and capable, in law and in equity, to sue and be sued, plead and be impleaded, in all courts of record and elsewhere; and said corporation shall and may make, have and use a common seal, and the same may change, alter and renew at pleasure; and said corporation shall be able to make and put into execution, and from time to time amend, alter and put into execution, for its government and that of its officers and members, such constitution and by-laws, or either of them, as may be deemed proper: *Provided,* That such constitution and by-laws, or either of them, shall not be repugnant to the constitution and laws of the United States or the constitution and laws of this commonwealth; and said corporation shall be able to elect or choose such officers, civil and military, as may be necessary for the purposes of the corporation, and generally to do all and singular the matters and things which to said corporation it shall lawfully appertain to do for the good government of its affairs; the general object of said corporation shall be the instruction and improvement of its members in martial exercise and military deportment, and the succor of the authorities of this commonwealth and the United States in cases of invasion or insurrection.

Title.

Powers and privileges.

Object.

Annual meeting.

SECTION 2. That the annual meeting of said corporation, for the election of officers and transaction of other business,

shall be held on the second Monday of June in each and every year; but in case such election shall at any time not be held or shall fail, said corporation shall not be dissolved, and such election shall be held as soon thereafter as the constitution or by-laws may provide; The board of directors shall hold office one year, and until their successors are elected; twenty members shall constitute a quorum at all annual meetings and elections; for the present, and until the annual meeting and election to be held on the second Monday of June, one thousand eight hundred and seventy-three, the following members shall constitute the board of directors of said corporation, viz: E. G. Patterson, (who is now the president of said corps,) Oliver Kees, M. E. Bassett, J. Foster Clark, J. B. Olmsted, S. Grumbine, H. B. Cullum, W. W. Thompson and W. H. Wallace; and at the said annual meeting and annually thereafter, a board of eight directors shall be elected by the members of the corporation, in such manner as the corporation may determine; at each annual meeting the members of the corporation shall elect or choose, in such manner as the corporation may determine, a president and such other officers, civil and military, as may be provided for by the constitution and by-laws or either of them; the president of the corporation shall be, by virtue of his office, a director of the corporation, and he shall preside at all meetings of the corporation, and also at all meetings of the board of directors; the constitution and by-laws, or either of them, may provide for filling the place of the president in case of his temporary absence, sickness, death, resignation or removal from office.

Terms of directors.

Quorum.

Present board.

Eight to be elected annually.

President and other officers.

Vacancies.

SECTION 3. That the said corporation is hereby authorized to take, have, hold, use and enjoy, by purchase or otherwise, to them and their successors, lands and tenements, in fee simple or otherwise, and all gifts, grants, devises, bequests, leases and all other property necessary or useful for the purposes of said corporation, and from time to time to grant, bargain, sell, alien, convey, lease or otherwise dispose of the whole or any part thereof, or mortgage or otherwise encumber the same at pleasure: *Provided*, That at no time shall the clear yearly income of said corporation, exclusive of donations, gifts, bequests and dues, exceed the sum of twenty thousand dollars.

Further privileges

Income limited.

SECTION 4. That the real estate of said corporation may be sold, conveyed mortgaged or otherwise encumbered, with the consent of two-thirds of the members present at a meeting of the corporation and voting in favor thereof; no other property of any kind of the corporation, shall be sold, assigned, transferred or otherwise disposed of, without the consent of two-thirds of the members present at a meeting of the corporation and voting in favor thereof.

How real estate may be sold, &c.

SECTION 5. That the affairs of said corporation shall be managed as the constitution and by-laws, or either of them, shall provide.

Management of affairs.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 158.

A Supplement

To an act, entitled "An Act to provide for the re-examination and re-settlement of the several accounts of the receipts and expenditures of the bounty fund for Codorus township, in the county of York," approved the ninth day of April, Anno Domini one thousand eight hundred and seventy-two.

WHEREAS, Section one of the said act directs the qualified voters of said Codorus township, York county, to elect on the second Tuesday of October, three auditors, whose duty it shall be, after having first duly taken and subscribed an oath or affirmation to discharge their several and respective duties under this act with fidelity and impartiality, which oaths or affirmations shall be immediately thereupon filed with the secretary of the board of school directors for said township, to proceed to revise and re-examine the said several accounts of the receipts and expenditures of said bounty funds, and, if upon such revising and re-examination, any material errors shall be found therein, to re-audit and re-state such erroneous account or accounts, correcting therein all material, and ascertaining as nearly as may be, the amount and character of all such errors, and the balance, if any, due either by any person or persons who had the care or management of said bounty fund, or any part thereof, or by the township to any such person or persons.

And whereas, In section seven of the said act, it is provided that the time for the revising and re-settling the accounts of the said bounty fund, shall not extend beyond the fourth Monday of August, Anno Domini one thousand eight hundred and seventy-two, a day antecedent to the election day at which said auditors were to be elected, as directed by section one of said act; therefore,

SECTION 1. *Be it enacted, &c.*, That the provisions of the act to which this is a supplement, be and the same are hereby declared to be in as full force and effect as they would have been had the date mentioned in the seventh section of said act been one thousand eight hundred and seventy-three, instead of one thousand eight hundred and seventy-two, and that the said seventh section is hereby amended to read "fourth Monday of August, one thousand eight hundred and seventy-three," at which time the auditors elected under the provisions of the said act to which this is a supplement, shall file their final report under and subject to all the provisions of the said act, not inconsistent with this supplement.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 159.

A Supplement

To an act, entitled "An Act to authorize the election of district treasurer in the county of Clearfield," approved the ninth day of April, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.,* That it shall not be lawful for any district treasurer elected, or that may hereafter be elected, under the act to which this is a supplement, to hold any other office in said borough or township, and said district treasurer shall not be entitled to receive any percentage for moneys received or paid out by him. Not to hold other offices.

SECTION 2. That the expenses of advertising, by the district treasurer, and all necessary books and blanks furnished by him, shall be paid to said treasurer by the different boards, bills and vouchers being furnished them and approved. Not entitled to percentage.

SECTION 3. That if said district treasurer, at the expiration of his term of office, neglects or refuses to pay over to his successors, when duly qualified, all moneys or balances remaining in his hands, he shall be liable for interest on the amounts at the rate of six per centum per annum, to be recoverable as debts of like amounts are now recoverable by the laws of this commonwealth, after having received fifteen days' notice, which notice shall be given by the auditor of said borough or township when the bonds or sureties of the treasurer elect shall have been approved by him. How expenses of advertising, &c., to be paid.

SECTION 4. That all acts or part of acts inconsistent with this act are hereby repealed. Neglect to pay over balances, relative to.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 160.

An Act

To repeal an act authorizing an appeal from the assessments in Erie county to the court of common pleas of said county.

SECTION 1. *Be it enacted, &c.,* That the act authorizing an appeal from assessments in Erie county to the court of common pleas in said county, approved the twenty-seventh day of May, one thousand eight hundred and seventy-one, be and the same is hereby repealed.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 161.

An Act

To increase the pay of township and borough auditors, in the county of Armstrong.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, the pay of borough and township auditors, in the county of Armstrong, shall be two dollars for each day necessarily employed in discharging the duties of their office.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 162.

A Supplement

To an act declaring Slate Lick run, in the county of Cambria, a public highway, approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty.

Erection of splash
dams, schutes, &c.,
authorized

SECTION 1. *Be it enacted, &c.,* That it shall and may be lawful for any person or persons, owning lands or timber along Slate Lick run, or having logs or timber to float on said stream, to erect splash dams, or schutes or gates to dams already erected, or that may be erected hereafter in said stream, for the purpose of controlling the water of said stream, so as to float saw logs, squared timber, &c. *Provided,* That any person so desiring to erect schutes or gates to splash dams, already erected, or to use the schutes or gates to splash dams already erected, shall pay to the person or persons owning said dams ten cents per thousand feet scale measure, for the use of said dams.

Proviso.

Repeal.

SECTION 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 163.

An Act

To extend to certain counties an act, entitled "An Act to prevent trespassing upon railroad cars in the county of Berks," approved the twenty-first day of February, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act to prevent trespassing upon railroad cars in the county of Berks," approved the twenty-first day of February, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby extended to the counties of York, Huntingdon, Union, Philadelphia, Westmoreland, Perry, Bucks, Montour and Schuylkill.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 164.

An Act

To extend the privileges of an act, entitled "An Act relative to public roads in Luzerne township, Fayette county," approved March eighteenth, one thousand eight hundred and sixty-nine, to the townships of Redstone, German, Nicholson, Perry and Springhill, in said county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act relative to public roads in Luzerne township, Fayette county," approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to Redstone, German, Nicholson, Perry and Springhill townships, in Fayette county.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 165.

An Act

Relative to the pay of jurors in the county of Bucks.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, each and every person serving as a juror in the court of Bucks county shall receive two dollars and fifty cents per day for such service, in addition to the mileage now allowed by law.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 166.

An Act

To authorize the supervisors of Pymatuning township, Mercer county, to levy additional taxes for road purposes.

SECTION 1. *Be it enacted, &c.*, That the supervisors of Pymatuning township, in the county of Mercer, are hereby authorized and required to levy and collect annually, as other road taxes are now levied and collected, a *per capita* tax of one dollar and fifty cents on each male inhabitant in said township above the age of twenty-one years, to be worked out on the roads as other taxes are now worked out on the road in said township.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 167.

An Act

Relating to the fees of the sheriff and prothonotary of Huntingdon county.

SECTION 1. *Be it enacted, &c.*, That the act of assembly, entitled "An Act relating to sheriff's and prothonotary's costs in Wayne county," approved the twenty-third day of March, one thousand eight hundred and sixty-five, be and the same is hereby extended to the county of Huntingdon.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 168.

An Act

To establish a ferry over the Allegheny river at or near Shakeley's run in Armstrong county, and West Monterey in Clarion county.

SECTION 1. *Be it enacted, &c.*, That James M. Hogan, his heirs and assigns, shall have the right and privilege, at his own expense, to make good, sufficient and convenient landings, and roads to the nearest public highways to said landings, on the west side of the Allegheny river, at or near Shakeley's run, in Perry township, Armstrong county, and on the east side of said river at West Monterey, in Clarion county, and to use the Allegheny river between the said landings as a public ferry; also the right and privilege of erecting posts on any land contiguous thereto, and to extend therefrom and across said river a chain or wire in order to facilitate the crossing of said stream: *Provided*, That should any private property be injured by making said landing or roads, the said James M. Hogan, his heirs or assigns, shall pay all such damages, to be assessed in the same manner as damages for opening of private roads are assessed; but the said James M. Hogan, his heirs and assigns, shall keep the said landings, ferry and roads in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all description, and keep good and sufficient boats and competent and skillful ferrymen, who shall attend for the purpose of conveying passengers, teams, carriages, et cetera, across said river with reasonable diligence and care: *And provided*, Said chain or wire be elevated so as to not obstruct or retard the navigation of said river.

Ferry authorized.

Rights and privileges.

Damages.

To be kept in good order.

Not to obstruct navigation.

SECTION 2. That the said James M. Hogan, his heirs and assigns, as a remuneration for keeping up and in good order the said landings, ferry and roads, shall receive for conveying persons, teams, carriages, et cetera, across said river, tolls not exceeding the following rates: For each foot passenger, five cents; each person and horse, fifteen cents; for each one-horse carriage or wagon, twenty cents; for each two-horse carriage or wagon, twenty-five cents, and each additional horse, five cents; for each yoke of oxen, fifteen cents; each head of horned cattle, five cents; and for all things not enumerated in this list, the amount received by other ferries of like character crossing said river.

Tolls.

SECTION 3. That if any person or persons shall wilfully pull down, cut, break or in any manner injure or destroy any property belonging to said landings or ferry, or take from its moorings any craft or boat belonging thereto, he, she or they shall each forfeit and pay to the said James M. Hogan, his heirs and assigns, the sum of thirty dollars in addition to all damages sustained by the owners of said ferry, to be recovered as debts of like amount are by law recoverable, but

Penalty for injuries to ferry.

without stay of execution or relief from any law of this commonwealth exempting property from levy and sale for debts.

Prohibition.

SECTION 4. That all other persons are hereby prohibited from using the said river for the purpose of a ferry, within the distance of one mile above and one-half mile below the said ferry, and any person or persons violating the provisions of this section of this act, shall forfeit and pay to the said James M. Hogan, his heirs and assigns, the sum of one dollar for every traveler, team, head of horned cattle, horse or carriage ferried over the said river within the above mentioned bounds, to be recovered as the penalties in the third section of this act are to be recovered.

Penalty.

May abandon ferry

SECTION 5. That said James M. Hogan, his heirs or assigns, at any time after a bridge is completed across said river at West Monterey, shall have power to abandon or vacate said ferry, otherwise this act shall be and remain in full force for the period of twenty years.

Limitation.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 169.

A Supplement

To an act, entitled "An Act relating to the erection of school buildings in the borough of Covington, Tioga county, authorizing the directors to borrow money," approved April tenth, Anno Domini one thousand eight hundred and sixty-seven, empowering the school directors of said borough to borrow money to pay outstanding bonds.

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Covington, Tioga county, be and are hereby authorized and empowered to borrow money, not exceeding in amount the sum of one thousand dollars, and to issue bonds therefor, payable at such times as they think proper, not exceeding five years from their date, at a rate of interest not exceeding eight per centum per annum: *Provided*, That the money realized from the sale of said bonds, shall be used for the redemption of the outstanding bonds of said district and for no other purpose.

APPROVED—The 27th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 170.

An Act

To extend the provisions of an act, entitled "An Act to prevent cattle, horses, sheep, goats and swine from running at large in the townships of Sugar Grove and Freehold, in the county of Warren, and Plum township, in the county of Venango, to the townships of Pine Grove and Pittsfield, in the county of Warren."

SECTION 1. *Be it enacted, &c.*, That the provisions of an Act extended act of assembly, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act to prevent cattle, horses, sheep, goats and swine from running at large in the townships of Sugar Grove and Freehold, in the county of Warren, and Plum township, in the county of Venango," be and the same are hereby extended to the townships of Pine Grove and Pittsfield, in the county of Warren, except the third section of the said act, to which this is a supplement.

SECTION 2. The penalty for allowing sheep to run at large, provided for in the first section of the act to which this is a supplement, shall be so far modified by the said townships of Pine Grove and Pittsfield as to make the same fifty cents per head. Penalty for allowing sheep to run at large.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 171.

An Act

To legalize the assessment made by the school directors of Manor township of a tax to pay costs in a certain case, and authorize payment of the same.

WHEREAS, The board of school directors of Manor township Preamble. school district, in Armstrong county, in the year one thousand eight hundred and seventy-two, levy a tax to pay costs on a certain case, number fourteen, March session, in said county, in which said case judgment was obtained against sundry persons then acting as school directors:

And whereas, Doubts have arisen as to the authority of a board of school directors to levy a tax for that purpose; therefore,

Acts of directors
ratified.

SECTION 1. *Be it enacted, &c.,* That the acts of the school directors of Manor township, Armstrong county, as described in above preamble, are hereby ratified and confirmed.

Treasurer to pay
warrants.

SECTION 2. That the school treasurer of said district be and he is hereby directed to pay the warrants issued for the payment of said costs.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 172.

An Act

To prohibit the taking or killing of partridges or Virginia quail in Montgomery and Delaware counties.

SECTION 1. *Be it enacted, &c.,* That it shall be unlawful for any person in the counties of Montgomery and Delaware, to shoot, trap or in any manner destroy any partridge or Virginia quail, for the term of three years from the passage of this act; and any person violating the provisions of this act shall, upon conviction thereof before any justice of the peace, forfeit and pay a fine of not more than ten dollars for each partridge or Virginia quail destroyed, and in default of payment of the same and costs shall be imprisoned, not exceeding five days; all fines collected under this act shall be paid into the county treasury: *Provided*, That this act shall not apply where any person may entrap any partridge or Virginia quail to preserve them during the winter.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 173.

An Act

To authorize the authorities of Oil Creek borough to collect their road tax in money.

SECTION 1. *Be it enacted, &c.,* That the authorities of Oil Creek borough, in the county of Crawford, and state of Pennsylvania, be and are hereby authorized and empowered to collect the road tax of said borough in money and not in labor; said road tax to be hereafter collected in the same form and manner as other taxes of said borough are collected.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 174.

An Act

To prevent the running at large of horses, cattle, mules, sheep and swine in the township of Frederick, county of Montgomery.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, all horses, mules, cattle, sheep and swine belonging to farmers or other persons, found running at large, or upon public roads or highways in Frederick township, county of Montgomery, shall be considered in character of strays, and may be taken up as such by any person, and shall and may be disposed of under the existing laws of this commonwealth relating to strays: *Provided*, That this act shall not apply to any of said animals that may have accidentally escaped their enclosure.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 175.

An Act

To prevent cattle, horses, mules, sheep and hogs from running at large in Wayne township, Lawrence county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act to prevent cattle, horses, mules, sheep and hogs from running at large in Little Beaver township, Lawrence county," approved the tenth day of April, one thousand eight hundred and sixty-seven, are hereby extended to, and after the first day of April, one thousand eight hundred and seventy-three, shall be of full force and effect in the township of Wayne, Lawrence county, except that portion of said township known as Chewton Common.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 176.

A Supplement

To an act relating to livery stable keepers in Allegheny, Berks and Westmoreland counties, extending the provisions of said act to Butler county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act of assembly, entitled "An Act relating to livery stable keepers in Allegheny, Berks and Westmoreland counties," approved the twenty-third day of August, Anno Domini one thousand eight hundred and sixty-five, be and the same is hereby extended to the county of Butler.

APPROVED—The 28th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 177.

An Act

To incorporate the Stockton Dining Saloon Association of Philadelphia.

Corporators.

SECTION 1. *Be it enacted, &c.*, That H. J. Fillman, Theodore A. Stecher, Joseph L. Bitner, A. J. Gillingham, Max Riebenack, Henry G. Booz and William H. Scott, and their associates and successors, be and they hereby are created a body corporate and politic in law, by the name, style and title of the Stockton Dining Saloon Association of Philadelphia, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatever, and may have and use a common seal, and may renew or alter the same at pleasure.

Title.

Privileges.

Capital stock.

SECTION 2. That the capital stock of said association shall consist of five hundred shares, of the par value of ten dollars each: *Provided*, The said association shall have power by a vote of the stockholders, convened for that purpose, to increase their capital stock as much as in their opinion shall or may be deemed necessary by them to carry out the just and true intent and meaning of this act: *Provided*, such increase is not over fifty thousand dollars.

Property.

SECTION 3. Said association shall be authorized to acquire, hold and convey such real and personal estate as is necessary for the transaction of the eating saloon business in the city of Philadelphia.

SECTION 4. That said association shall have power to raise on their bonds or other security, any sum of money not exceeding one-half of their capital stock, for the purpose of carrying out the true intent and meaning of this act: *Provided*, No bond shall be issued for a less sum than one hundred dollars.

May raise money
on bonds.

SECTION 5. The officers of said association shall be such as the said association may deem necessary, who shall be elected at such times and places, and in such manner as the by-laws of said association may direct.

Officers.

SECTION 6. The said association shall have power and authority to make such by-laws, rules and regulations as shall be necessary for the government and promotion of the interest of said association and for the objects above specified: *Provided*, That no by-law, rule or regulation as aforesaid shall be valid if inconsistent with the constitution or laws of this state, or of the United States: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

By-laws, rules, &c.

Bonus and taxes.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 178.

An Act

Authorizing the Pittsburg and Birmingham Passenger Railway Company to change and extend their double track from Seventh avenue to the Union depot in the city of Pittsburg.

SECTION 1. *Be it enacted, &c.*, That the Pittsburg and Birmingham Passenger Railway Company be authorized to change and extend their double track from Seventh avenue to the Union depot, by such streets as the councils of the city of Pittsburg may permit them to lay said tracks down upon.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 179.

An Act

To fix the pay of county auditors in the county of Bedford.

Compensation of
auditors.

SECTION 1. *Be it enacted, &c.,* That hereafter the county auditors of Bedford county shall receive the sum of five dollars per day for each and every day necessarily employed in the performance of their duties.

How they and
clerk to be paid.

SECTION 2. The said county auditors and their clerk shall be paid by checks drawn by the commissioners on the treasurer of said county, and not otherwise; and the compensation of the clerk to said board of auditors shall be such as the commissioners and auditors shall determine.

Compensation of
clerk.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 180.

An Act

To authorize the school directors of the city of Franklin, in the county of Venango, to borrow money.

SECTION 1. *Be it enacted, &c.,* That the school directors of the city of Franklin, in the county of Venango, be and they are hereby authorized to borrow any sum of money, not exceeding thirty thousand dollars, at any rate of interest not exceeding seven and three-tenths per centum per annum, and to issue coupon bonds for all moneys borrowed by them, by virtue hereof, redeemable, at the option of said school directors, at any time after two years from the date thereof, and payable five years after the date thereof, and interest payable semi-annually; which bonds shall be exempt from all taxation, except for state purposes; the money borrowed under the provisions of this act to be expended in funding the present debt of said school district.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 181.

An Act

To amend the road laws of Damascus township, Wayne county.

SECTION 1. *Be it enacted, &c.*, That the supervisors of Damascus township, Wayne county, be and they are hereby empowered to levy, not to exceed twenty mills on the dollar of valuation, as ordinary road tax, to be worked out upon the roads, a per capita tax of two dollars, and a money or special tax for bridges and emergencies not to exceed ten mills on the dollar of valuation.

Power of supervisors to levy tax.

SECTION 2. The supervisors to district the township and appoint path-masters, as they may deem necessary, who shall take an oath to perform the duties of their office with fidelity; the path-masters shall give each taxable in their district at least twenty-four hours' notice of when and where he intends to work upon the roads; if any person shall neglect or refuse to work out his or her tax for the period of five days, after proper notification, it shall be the duty of the path-master to work or cause the same to be worked out on the roads of the proper district, and make return of the same to the collector of the township rates and levies, or in case of a vacancy in that office, to the supervisors, who shall immediately proceed to collect the same, together with costs of collection, by levy and sale, and pay the same to the path-master, making the return within thirty days after receiving the return.

To district township and appoint path-masters.

Duties of path-masters.

Collector to collect taxes not worked out.

SECTION 3. If any path-master shall neglect to perform the duties enjoined by the second section of this act, it shall be the duty of the supervisors to make complaint to any justice of the peace, who shall, upon conviction, fine such path-master not less than ten nor more than twenty-five dollars; if the supervisors shall neglect to perform the duties enjoined by this act, upon complaint of any citizen to any justice of the peace, he shall, upon conviction, fine such supervisor not less than twenty-five nor more than fifty dollars; all fines collected under this act shall be paid into the hands of the supervisors, and be expended on the roads and bridges.

Supervisors to make complaint against path-masters for neglect of duty.

Penalty on supervisors for neglect of duty.

SECTION 4. The compensation for working upon the roads shall not exceed two dollars per day; in case the supervisors shall levy less than twenty mills on the dollar the compensation shall not exceed at the rate of ten cents per day for each mill levied on the dollar of valuation.

Compensation for working on roads.

Compensation of supervisors.

SECTION 5. Two-thirds of the road tax shall be worked out by the first day of July in each and every year, and the remaining one-third by the first day of October in each and every year.

When tax to be worked out.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 182.

An Act

To exempt the German Hospital of the city of Philadelphia from certain taxes.

SECTION 1. *Be it enacted, &c.*, That the hospital building and lot of ground situate at the south-west corner of Girard avenue and Corinthian avenue, in the Twenty-ninth ward of the city of Philadelphia, be and the same are hereby exempted from all taxation, except state tax; and all such taxes assessed thereon for the present year are hereby remitted.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 183.

A Supplement

To an act to incorporate the Fairlawn Street Railway Company of the city of Scranton, approved the ninth day of April, one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the track of the said road shall be made of such gauge as may be agreed upon by the directors; that the word "Jefferson," where it first occurs in the original act, be changed to "Adams," and that the route of the road from its intersection with Jefferson avenue and Gibson, at Fairlawn, shall be along such streets and alleys as may be agreed upon and prescribed by the directors, to a point on the Drinker turnpike, where street number nineteen, on Sanderson's plot of Green Ridge lots, strikes said turnpike; thence along said turnpike to Chestnut street, in the borough of Dunmore; thence as in the original bill, with the right to diverge from the line of said Chestnut street, near the foot of number six, on the Pennsylvania railroad, so far as may be necessary in the opinion of the directors to obtain a suitable grade.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 184.

An Act

To incorporate the city of Parker.

SECTION 1. *Be it enacted, &c.*, That the inhabitants of the towns of Lawrenceburg and Parker's Landing, in the county of Armstrong, residing within the limits of the borough of Lawrenceburg and the boundaries hereinafter described, are hereby constituted a corporation and body politic by the name, style and title of the city of Parker, and by that name shall be capable in law to purchase, receive and hold forever, or for any shorter time, lands, tenements and hereditaments, goods and chattels, and by such name to sell and convey, mortgage, encumber and dispose of at their pleasure, and by the said name shall be capable in law to sue and be sued in all courts of record and elsewhere, in all manner of suits, actions, causes and complaints, that to the said city as a body politic and corporation in law and in fact shall and may appertain, and for that purpose shall have and use a common seal, and the same, from time to time, may change, deface and make anew: *Provided*, That all land lying within the following boundary, to wit: Beginning at the mouth of Bear creek, at the Allegheny river, thence in a westerly direction up said creek to the point where the line dividing Armstrong and Butler counties crosses the same; thence north one and one-fourth degrees east, along said line, five hundred and seventy-six rods to a post; thence east to a point opposite the western boundary line of the Allegheny and Clarion Oil Company's land; thence south along said land to the south-western corner thereof; thence east along said land to the Allegheny river; thence down said river to the place of beginning, be and the same is hereby incorporated into said city and made part of the same.

Incorporation.

Title.

Powers and privileges.

Land within certain boundaries, made part of city.

SECTION 2. That the said city shall be divided into wards in manner following: All the territory lying north of the northern boundary of Lawrenceburg borough shall constitute the First ward; and all the remaining territory, including Lawrenceburg borough, shall constitute the Second ward.

Divided into two wards.

First ward.

Second ward.

SECTION 3. That the executive and legislative powers of said city shall be vested in a mayor and city council, which shall consist of four members from each ward; the present burgess and members of the town council of the borough of Lawrenceburg shall continue in office as mayor and as members of the city council of the ward in which they reside, until the end of their respective terms, and shall discharge the duties imposed on them by this act, and their successors and all the officers provided for in this act shall be elected at the time and in the same manner as the said burgess and town council have heretofore been elected; the mayor of said city shall hold his office for two years, and

Mayor and council.

until his successor is duly elected; two of the city council in each ward shall be elected and hold their office for the term of one year, and until their successors are duly elected; and two in each ward shall be elected and hold their office for the term of two years, and until their successors are duly elected.

Duties of mayor.

SECTION 4. That it shall be the duty of the mayor to promulgate the laws, ordinances and regulations of the corporation, and to attend to the due execution and fulfilment of the same; he shall preside at the meetings of the city council and give the casting vote in case of tie; when a vacancy shall occur in the office of mayor, such vacancy shall be filled by an election for the remainder of the term to be held within twenty days after such vacancy shall occur, of which election the city council shall give notice by publication in a newspaper printed in said city.

Vacancies in office of mayor.

Powers of council.

SECTION 5: That the city council shall have full power and authority to make, ordain and establish such laws, ordinances and regulations not repugnant to the laws and constitution of the United States and of this commonwealth, as shall be necessary and convenient for the government and welfare of the said city.

Quorum.

Meetings.

SECTION 6. That a majority of the city council shall constitute a quorum; the said council shall meet at least once in each month for the transaction of business, and in the absence of the mayor may appoint one of its members to preside *pro tempore*.

Clerk

SECTION 7. That the said city council shall appoint a clerk who shall keep a record of all their proceedings, and also of all laws, ordinances, regulations and resolutions passed by the said council; and all such laws, ordinances and regulations shall be published in at least one newspaper printed in said city, or by at least twenty handbills posted in conspicuous places therein, and copies of the said laws, ordinances and regulations, certified under the seal of the said city, shall be filed with the recorder of deeds of the county of Armstrong, together with the oath of some credible person that the same have been duly published, and the said recorder shall record the same in a book to be kept for that purpose, and shall be entitled to the same compensation therefor as in the case of recording deeds; and no law, ordinance or regulation of the said corporation shall have any force or effect until after the publication and filing thereof for record as aforesaid.

Ordinances and regulations to be published and recorded.

Certain powers and privileges to belong to mayor and council.

SECTION 8. That all powers, duties, authorities and privileges now by law vested in and belonging to the burgess and town council of the borough of Lawrenceburg, in the county of Armstrong, shall continue and belong to the mayor and city council of the city of Parker.

Justices of the peace.

SECTION 9. That each ward shall be entitled to elect two justices of the peace; the two justices now acting within the city limits shall continue to be the justices of the respective wards in which they reside, and act until the expiration of their present term of office.

One school district.

SECTION 10. That the said city shall constitute one district for school purposes, and that the school directors shall be

elected by the qualified voters of said city, as provided by law for the election of school directors; three of said directors shall reside in each ward. School directors

SECTION 11. That each ward shall be entitled to elect one constable, one assessor and one auditor, and all officers now in office shall continue in office during their present term. All vacancies existing in offices hereby created, shall be filled at the first election held under this act. Constables, assessors and auditors. Vacancies.

SECTION 12. That said city shall constitute one district for poor purposes, and shall be entitled to elect two overseers of the poor, one for one year and one for two years; the one for one year shall reside in the First ward, and the one for two years in the Second ward. One poor district. Overseers of poor.

SECTION 13. That said city shall be divided into two election districts for general and city purposes; the elections in First ward to be held at the public school house in said ward, and in the Second ward at the public school house of that ward. Two election districts. Where elections to be held.

SECTION 14. That H. R. Fullerton, W. B. Krosskop and Perry Washabaugh, are hereby authorized and empowered to act as judge and inspectors of the first election held in the First ward under this act, and the election officers now elected for the borough of Lawrenceburg, shall be the election officers of the Second ward for the first election under this act; the election officers thereafter for both wards shall be elected by the qualified voters thereof. Who to conduct first election. Officers thereafter, to be elected.

SECTION 15. That the qualified electors of said city are hereby authorized to hold an election on the fourth Friday of February, Anno Domini one thousand eight hundred and seventy-three, to elect officers to supply the additional members of the city council, and other officers as provided for in this act of incorporation. Special election authorized.

SECTION 16. That the debt now due and owing by the borough of Lawrenceburg, shall be paid by said city of Parker. Debt of Lawrenceburg to be paid by city.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 185.

An Act

Entitled "An Act amending a supplement to the several acts incorporating the city of Pittsburg, enlarging its boundaries, et cetera," approved April second, one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.,* That so much of section sixth of the act of assembly, entitled "A supplement to the several acts incorporating the city of Pittsburg, enlarging its

boundaries, et cetera," approved April second, Anno Domini one thousand eight hundred and seventy-two, as provides that the first election in the districts hereby annexed, under the new apportionment, to be held on the second Tuesday of December, one thousand eight hundred and seventy-three, be and is hereby amended, so as to read on the first (1st) Tuesday of December, one thousand eight hundred and seventy-three.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 186.

An Act

For the relief of William Kelley, a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, William Kelley, of the county of Armstrong, did serve as a private in the war of one thousand eight hundred and twelve, but not a sufficient time to entitle him to a pension under existing laws :

And whereas, The said William Kelley is now in indigent circumstances ; therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer be and he is hereby authorized and required to pay to William Kelley, of Armstrong county, a soldier of the war of one thousand eight hundred and twelve, a gratuity of forty dollars and an annuity of forty dollars per annum, payable semi-annually, commencing January first, Anno Domini one thousand eight hundred and seventy-three: *Provided*, That when the said William Kelley receives a pension from the United States the pension allowed by this act shall cease.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 187.

An Act

To legalize provisions heretofore made in mortgages of married women in the county of Washington.

SECTION 1. *Be it enacted, &c.*, That no covenant or provision for an attorney's collection fees, in any deed of mortgage heretofore executed in legal form, by a husband and his wife, securing purchase money of realty then acquired by the wife,

shall be deemed unlawful or void, but the same shall be as lawful, binding and effective as if the title had been vested in the husband: *Provided*, That this act shall not apply to any case otherwise adjudicated, or now in litigation, or where the mortgaged premises have not been sold on the mortgage judgment, and the proceedings on the mortgage regular in other respects: *And provided further*, That this act shall only apply to the county of Washington.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 188.

An Act

To legalize an ordinance passed the seventh day of September, Anno Domini one thousand eight hundred and seventy-two, by the burgess and council of the borough of Manheim, changing the width of Market street in said borough, and granting a portion of the same for ornamental purposes.

WHEREAS, The burgess and town council of the borough of Manheim, in the county of Lancaster, in accordance with a petition signed by every property holder fronting on Market street of said borough, granted by ordinance passed September seventh, one thousand eight hundred and seventy-two, the use for said petitioners of a strip of ground on each side of said Market street, for ornamental purposes: *Provided however*, That said Market street should not be less in width than one hundred feet from curb to curb: *And further providing*, That all the owners of lots and parts of lots, fronting on either side of Market street, shall, and are hereby required to set up good and substantial curb, on the curb line, as now established and laid down in the plan on plot of the borough aforesaid, made or to be made by James C. Carpenter, in the year one thousand eight hundred and seventy-two, and to make and maintain a good and substantial pavement or side walk along said curb, not less than ten feet in width, of such material as are allowed by ordinance.

And whereas, The said ordinance, reducing the width of said Market street to one hundred feet, is vacating part of said Market street; therefore,

SECTION 1. *Be it enacted, &c.*, That so much of the ordinance passed September seventh, one thousand eight hundred and seventy-two, by the burgess and town council of the borough of Manheim, in the county of Lancaster, as relates to Market street of said borough, curbing and pavement, or foot walk and ground granted for ornamental purposes, the same

is hereby legalized, made valid and binding on said borough of Manheim.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 189.

An Act

To increase the pay of county auditors in the county of Cumberland.

SECTION 1. *Be it enacted, &c.*, That from and after the first of January, one thousand eight hundred and seventy-three, the pay of the county auditors, in the county of Cumberland, shall be five dollars for each day necessarily employed in discharging the duties of their office.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 190.

An Act

Authorizing the borough of Millvale, in the county of Allegheny, to borrow money.

Authorized to borrow money.

SECTION 1. *Be it enacted, &c.*, That the borough of Millvale, in the county of Allegheny, be and is hereby authorized and empowered to borrow any sum of money, not to exceed in the aggregate the sum of fifteen thousand dollars, at a rate of interest not to exceed seven per centum per annum, for borough purposes and for the improvement of the streets, lanes and alleys thereof, and for the security of the re-payment of the same, to pledge the faith, credit and property of said borough.

May issue bonds.

SECTION 2. That when it becomes necessary to borrow any portion of the amount of money mentioned in the foregoing section, the burgess and town council of said borough are hereby authorized and empowered to issue the corporate bonds of said borough, signed by the burgess thereof and countersigned by the treasurer, as evidence of such indebtedness.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 191.

An Act

Regulating advertisements of commissioners' sales of unseated lands
in the county of Luzerne.

SECTION 1. *Be it enacted, &c.*, That nothing contained in the act, entitled "An Act directing the mode of selling unseated lands, for taxes and other purposes," or in any supplement thereto, shall make it the duty of the commissioner of the county of Luzerne, to insert notice of sales of unseated lands to be made by them in more than six newspapers, if more than that number are published in said county; and in such case publication of the notice required in any six newspapers in the county, shall be deemed sufficient for the purpose of said act and supplement.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 192.

An Act

To cure the mistake of misnomers in sheriffs' deeds heretofore executed on process and judgment otherwise regular in the county of Washington.

SECTION 1. *Be it enacted, &c.*, That no deed of conveyance of real estate heretofore made by any sheriff upon any judicial proceeding to any *bona fide* purchaser, and acknowledged in open court, shall be adjudged invalid or defective in law, by reason of any misnomer of the writ of execution, but all such deeds of conveyance shall be good and valid to transfer the interest of the defendants in the realty so sold: *Provided*, That this act shall apply to no case now in litigation or wherein the process, judgment, return and other proceedings are regular: *And provided further*, That the provisions of this act shall only apply to the county of Washington.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 193.

An Act

Declaring the east branch of Dyberry creek a highway.

SECTION 1. *Be it enacted, &c.,* That the east branch of Dyberry creek, in the county of Wayne, from the house of Obediah Freeman, to the mouth of said creek, be and the same is hereby declared to be a public highway for the purpose of floating logs and timber down the same to the main stream.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 194.

A Supplement

To an act to incorporate the Starrucca and Hancock Turnpike Road Company, approved the nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

May construct branches.

How road may be constructed.

When certain privileges may be exercised

May increase issue of stock and bonds.

Repeal.

SECTION 1. *Be it enacted, &c.,* That the president and managers of said company may construct one or more branches to said road, not to exceed five miles in length each, nor in the aggregate more than fifteen miles; and any part, or all of said road, may be constructed a plank road, or turnpike road, as the president and managers of said company may direct.

SECTION 2. That when one-half of the capital stock shall have been subscribed and expended, the said company may exercise the privileges granted in the third section of said act.

SECTION 3. That said company may increase their issue of capital stock and bonds, not to exceed fifty per centum on amounts authorized, in amounts proportional to the privileges already granted: *Provided,* It shall be necessary for the construction or repairs of said road or its branches.

SECTION 4. That so far as existing laws are altered or provided for in this act, the same be and are hereby repealed, so far as they effect the rights and privileges of this company.

APPROVED—The 1st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 195.

An Act

To vacate Buck road from Twelfth street to Long lane, in the First and Twenty-sixth wards, in the city of Philadelphia.

SECTION 1. *Be enacted, &c.*, That so much of Buck road as lies between Twelfth street and Long lane, in the First and Twenty-sixth wards in the city of Philadelphia, be and the same is hereby vacated. Portion of road vacated.

SECTION 2. All acts or parts of acts inconsistent herewith are hereby repealed. Repeal.

APPROVED—The 4th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 196.

An Act

To divide the township of Kidder, county of Carbon, into two election districts.

WHEREAS, The convenience of the voters of the township of Kidder, Carbon county, requires the division of said township into two election districts, as hereinafter set forth : Preamble.

And whereas, By such division the new district proposed to be erected will contain less than one hundred voters.

SECTION 1. *Be it enacted, &c.*, That the township of Kidder, in the county of Carbon, is hereby divided into two election districts, as follows namely : All that part of said township lying north of a line beginning at the point of confluence of the Lehigh river and Hay's creek ; thence continuing up said creek to its confluence with Fourth run ; thence eastward along course of said run to the south west corner of tract, known under the warrantee name of William Robinson ; thence along the southern line of aforesaid tract to the southwest corner of tract John Olden ; thence along southern line of aforesaid tract to tract Joseph Nourse ; thence south along west line of aforesaid tract to tract Richard Thatcher ; thence continuing easterly along the southern boundary of aforesaid tract to tract Abram Shupp ; thence along the southern boundary of aforesaid tract and also of tract William Wood, into which tract said line to be continued easterly terminating at the point of its intersection with the Tobyhannah creek, which forms the eastern boundary of said township ; Divided into two election districts.
How divided.

and all that part of said township lying north of the aforesaid line shall be the north district ; and all that part of said township lying south of said line shall be the south district ; and each district shall be a separate election district ; and the voters of each district shall elect their own assessor and assistant assessors, judge and inspectors of elections: *Provided*, That the said township of Kidder be and remain one road, poor and school district.

Each district to elect its own officers.

Where elections to be held, and who to conduct first election.

Meeting of judges.

Certificates.
Compensation.

Repeal.

SECTION 1. That the elections in the north district shall be held at the public school house known as the Bridgeport school house ; that William F. Streeter is hereby appointed judge of election, and William W. Maybe and J. D. Woodring inspectors of the same ; said persons to serve under aforesaid appointments at the first election, in the north district ; that the elections in the south district shall be held at the public house of Jacob Cressman, where township elections are now and have been held ; that the election officers, last chosen by the voters of said township, shall serve at the election in the south district ; and that after each election for township officers, the judges of the two districts shall meet at the aforesaid Bridgeport school house, on the first Monday after said election, and then and there count the votes cast for township officers, and make out returns of the same, and also make out certificates for the different persons elected to the various township offices ; the judges have two dollars each for said service, to be paid by the township supervisors.

SECTION 3. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 4th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 197.

An Act

To extend the time for the completion of the Perkiomen Railroad.

SECTION 1. *Be it enacted, &c.*, That the time for the completion of the Perkiomen Railroad shall be extended for three years from the date of the passage of this act.

APPROVED—The 5th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 198.

An Act

To open and grade Mica street, in the Seventh ward, of the city of Scranton.

SECTION 1. *Be it enacted, &c.*, That the commissioner of the Seventh ward of the city of Scranton, be and he is hereby authorized and directed to open and grade, in accordance with the street plan of the said city, Mica street from Mineral street to Penn avenue, or so much thereof as may be deemed necessary, in the Seventh ward of said city, and to remove therefrom all obstructions, within six months from the passage of this act.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 199.

A Further Supplement

To an act, entitled "An Act to incorporate the Citizens' Passenger Railway Company of Philadelphia, allowing them to extend their tracks southward on Tenth and Eleventh streets.

SECTION 1. *Be it enacted, &c.*, That the Citizen's Passenger Railway Company of Philadelphia, be and they are hereby authorized, provided the same shall be done on or before the first day of June next ensuing, to extend their road southwardly on Tenth street, between Reed street and its southern terminus, with the right to use any streets south of Federal street for the purpose of making a connection with their track on Tenth street; and that they be further authorized to use Twelfth street, from Wharton street to its southern terminus until Eleventh street shall be opened south of Reed street, when the track to be placed on Twelfth street, south of Wharton street, shall be removed to Eleventh street, subject to all the limitations and restrictions and with all the privileges granted to the said company under their act of incorporation.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 200.

A Supplement

To an act, entitled "An Act to incorporate the Red Bank Mining Company," approved the sixth day of April, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.,* That the provisions of the act incorporating the Red Bank Mining Company, approved the sixth day of April, Anno Domini one thousand eight hundred and seventy-two, shall extend and apply to the county of Armstrong, in this commonwealth, in addition to the counties of Jefferson and Clarion.

APPROVED—the 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 201.

An Act

Authorizing the county commissioners of the county of Perry, to make an appropriation out of the county funds for the erection of a bridge over the Big Buffalo creek, in Saville township, in said county, and providing for the erection of said bridge.

Authorized to
make appropriation.

Style of bridge.

Supervisors to
erect same, and
levy tax to make
up surplus.

Where to be erect-
ed.

SECTION 1. *Be it enacted, &c.,* That the county commissioners of the county of Perry are hereby authorized to appropriate out of any fund in the county treasury belonging to said county, the sum of three hundred dollars, to be applied to the erection of a public bridge over the Big Buffalo creek, in Saville township, in said county, at the place where the public highway, from the cross-roads near the tan yard owned by Reverend J. J. Hamilton to Elliottsburg, crosses the same at Spriggle's fording; the said bridge to be an open or uncovered wooden bridge, with stone abutments and piers; and the supervisors of the said township of Saville are hereby authorized and required, upon the payment to them of the aforesaid sum by the said county commissioners, forthwith to proceed to erect the said bridge, laying sufficient tax to make up the surplus requisite to complete the same; and further the said supervisors shall cause the said bridge to be erected on the site fixed in the report of the viewers appointed to locate the same by the court of quarter sessions of said county, at October session, one thousand eight hundred and seventy-two.

SECTION 2. That any neglect on the part of the said supervisors to perform their duties, as set forth in the first section of this act, shall be deemed a misdemeanor subject to indictment and punishable with fine and imprisonment as in other cases. Penalty on supervisors for neglect of duties.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 202.

An Act

To authorize the Sunbury Gas Company to issue additional bonds.

SECTION 1. *Be it enacted, &c.,* That the Sunbury Gas Company, of Sunbury Pennsylvania, be and they are hereby authorized to issue additional bonds, to be secured by a second mortgage upon their works, to an amount not exceeding ten thousand dollars, at a rate of interest not exceeding seven per cent.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 203.

An Act

Supplementary to the act incorporating the borough of Easton, authorizing the town council to borrow money and levy an additional tax, and providing for the collection of taxes.

SECTION 1. *Be it enacted, &c.,* That the corporation of the borough of Easton, is hereby empowered to borrow a sum of money not exceeding twenty-five thousand dollars, in addition to the amount said corporation is now authorized by law to borrow, and to issue bonds or certificates of indebtedness in sums of not less than one hundred dollars each, pledging the faith and resources of said borough for the payment of said bonds or certificates of indebtedness, at such times as the town council may direct, with interest not exceeding eight per centum per annum; and the said corporation shall have authority from time to time, and as often as the same may be necessary, to levy and collect a tax in the manner provided Authorized to borrow money and issue bonds.

May levy tax to pay loan.

by existing laws, and in addition to the tax now authorized to be levied and collected, not exceeding five mills on the dollar; the money realized by such taxation to be applied to the liquidation of said bonds or certificates of indebtedness as they shall become due.

Council and board of control to make duplicates and deliver same to treasurer.

SECTION 2. That it shall be the duty of the town council and board of control of said borough, respectively, on or before the first day of July, in each and every year hereafter, to make duplicates of the assessment of taxes for borough and school purposes, and deliver the same to the treasurer of said borough, together with a certificate, certifying that the taxes charged therein have been duly assessed according to law.

Duties of treasurer

SECTION 3. That it shall be the duty of said treasurer to attend daily, and at least six hours in each day, from the time he shall require said duplicate till the first day of October in each year, at such place as he may designate, for the purpose of receiving said borough and school taxes, and to receive said taxes and give receipts therefor when demanded; he shall within ten days after receiving the duplicates aforesaid, give public notice by at least twenty handbills, posted in the most public places of said borough, and by advertisement in at least one daily newspaper published therein, for one week, of the time and place he will attend for the purpose aforesaid; the said notice and advertisement shall contain the fourth section of this act, and the expense thereof be paid by the town council and board of control in equal parts.

In case of non-payment of taxes, treasurer to issue warrant to constable.

SECTION 4. That in case any borough or school tax assessed in said borough, shall remain unpaid after the first day of October, in any year, it shall be the duty of the said treasurer to issue his warrant under his hand, accompanied by a schedule of such unpaid taxes, and the names of the persons against whom the same are charged, in the proper duplicates directed to the constable of the proper ward in which such person may reside, whose duty it shall be to receive the same, authorizing and requiring him to demand, and receive from the persons named in the schedule, the sums with which they are severally charged therein, together with ten per centum added thereto for the compensation of said constable for collecting the same, and the said warrant shall further authorize and require such constable, in case any person named in the schedule thereto annexed shall fail to pay the amount with which such person is charged, with ten per cent. added, within ten days after demand made therefor, to levy the same by distress and sale of the goods and chattels of such delinquent, giving ten days public notice of such sale, by not less than six written or printed handbills, and in such case such constable shall be entitled to retain out of the proceeds of sale after deducting the taxes, and the ten per centum added, the same costs as are now by law allowed to constables on a levy and sale upon a writ of execution.

Allowance to constable in case of sale.

Treasurer to require security from constables.

SECTION 5. That it shall be the duty of said treasurer, before delivering to the said constables his warrant for the unpaid taxes, to require from them respectively, a bond in the name of the commonwealth of Pennsylvania, with such security as shall be approved of by the town council and board

of control in joint session, in double the amount of such unpaid taxes, conditioned for the payment of the full amount of the taxes contained in any schedule of unpaid taxes that may be delivered to them or any of them, after deducting exonerations allowed by the said town council and board of control respectively, within three months after the date of the delivering of such warrant as aforesaid.

SECTION 6. That the said treasurer before delivering his warrant to the constable according to the provisions of this act, shall charge such constable with the whole amount of the taxes contained in the schedule thereto annexed, in a book to be provided for that purpose; and the said constable and his sureties shall only be discharged from their liability upon their bond, by the payment of the amount of said schedule, after deducting such exonerations as may be allowed to such constable, and certified to the treasurer by the said town council and the said board of control respectively.

To charge them with taxes contained in schedule annexed to warrant.

How discharged from liability on bond.

SECTION 7. That in case any constable shall fail to make settlement and payment as is required by this act, within three months from and after the day he shall receive such warrant, which day shall be noted on the warrant by the treasurer before delivering the same to such constable, it shall be the duty of said treasurer to cause an action of debt to be brought upon the bond of such constable; and if upon the trial of any such suit, it shall appear that such constable has not complied with the provisions of this act, by collecting and paying over to the treasurer the taxes charged in the schedule annexed to his warrant, judgment shall be rendered against him and his sureties for the amount for which he is delinquent, together with interest from and after the expiration of the said period of three months and costs of suit; but nothing herein contained shall prevent any such constable from collecting said taxes upon said warrant, after suit may have been instituted as aforesaid.

Failure of constables to make settlement and payment.

SECTION 8. That in cases where the constable of any ward of said borough shall fail to give security as provided by this act, on or before the tenth day of October, in any year, the said treasurer is hereby authorized to appoint a collector in his stead, who shall, on giving security as required of constables, proceed with like power and authority to perform the duties of constables under this act.

When constables fail to give security, collectors may be appointed.

SECTION 9. That in addition to the compensation now allowed by law to the treasurer of the said borough of Easton, he shall be entitled to receive one-half of one per centum upon all taxes collected upon the duplicates placed in his hands.

Additional compensation to treasurer.

SECTION 10. That any law heretofore enacted, requiring the election of a collector of taxes for said borough, and all laws inconsistent with this act or any part thereof, be and the same are hereby repealed.

Repeal.

APPROVED.—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 204.

An Act

To establish a ferry over the Allegheny river at Rosston, in Armstrong county, Pennsylvania.

Exclusive right to establish ferry.

SECTION 1. *Be it enacted, &c.*, That George Zuver, his heirs and assigns, shall have the exclusive right and privilege to make good and convenient landings on the east and west side of the Allegheny river at Rosston, in Armstrong county, and to use the said river between said landings as a public ferry for passengers only.

To be kept in good order.

SECTION 2. That the said George Zuver, his heirs and assigns shall keep the said landings and ferry in good order and repair, fit for the transportation of travelers, and keep good and sufficient skiffs and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers across the river, with all reasonable diligence and care.

Penalty for destroying ferry property.

SECTION 3. That if any person shall wilfully destroy any boat or other property, or shall take from its mooring any craft or boat belonging to the said ferry, he, she or they so offending, shall each of them, forfeit and pay to the said George Zuver, his heirs and assigns, the sum of twenty dollars, in addition to all damage sustained by the said George Zuver, his heirs and assigns, to be recovered as debts of like amount are recoverable.

Prohibition.

SECTION 4. That all persons are hereby prohibited from using the said river, for the purpose of a public ferry, one mile above and one mile below the said ferry; and any person or persons violating the provisions of this act shall forfeit and pay to the said George Zuver, his heirs and assigns, the sum of one dollar for every traveler carried over said river within the above named bounds: *Provided*, That the privileges hereby granted shall continue no longer than twenty years; and the said ferry and owners thereof shall be subject to all general laws of this commonwealth regulating ferries.

Penalty.

Limitation.

Subject to.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 205.

An Act

Regulating the daily pay of witnesses and jurors in Northumberland and Columbia counties.

SECTION 1. *Be it enacted, &c.*, That after the passage of this act the daily pay of witnesses in civil and criminal cases in the counties of Northumberland and Columbia shall be one dollar and fifty cents, and mileage now allowed by law, and that the daily pay of jurors in said county in criminal and civil cases shall be two dollars, and the mileage now allowed by law, and that all acts of assembly inconsistent herewith be and the same are hereby repealed.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 206.

A Further Supplement

To the act to incorporate the Springhouse and Penllyn Turnpike Road Company, approved the seventh day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted, &c.*, That the president and managers of the said turnpike road company shall have power to increase the present rates of toll, and collect and receive the same at a rate not to exceed one and a half ($1\frac{1}{2}$) cents per mile, or at the same rate for a lesser distance, for each horse, mule, working cattle or other animal traveling over said road, whether attached to any vehicle or vehicles or otherwise, and without reference to the breadth of tire of said vehicle or vehicles, and shall not be liable for a fractional part of a cent in making change; and all the remedies for the enforcement of the payment of tolls or for the recovery of the penalties for refusing or evading the payment of the same heretofore conferred upon said company, are hereby extended to the tolls chargeable under this act. May increase rates of toll.

SECTION 2. That all laws inconsistent with the preceding section, so far as the same relate to said company, are hereby repealed. Repeal.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 207.

An Act

To annul the marriage contract between Lillie S. Evans and Charles H. Evans.

SECTION 1. *Be it enacted, &c.*, That the marriage contract entered into between Lillie S. Evans and Charles H. Evans, her husband, be and the same is hereby annulled and made void to all intents and purposes, and the said parties released, set free and discharged from said contract, and the duties and obligations thereunder, as fully, effectually and absolutely as if said contract had never been made, the courts of justice having no jurisdiction in the premises.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 208.

A Supplement

To an act authorizing the construction of a canal through Windmill island and the improvement of the navigation of the Delaware river, approved the fourteenth day of February, Anno Domini one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted, &c.*, That the following thirty-four words in the third section of the act to which this is a supplement, to wit: "And all persons who desire it, shall be allowed to pay quarterly in advance, and such quarterly payments shall be as follows: not exceeding the sum of one dollar per quarter for each passenger," be and the same are hereby repealed.

APPROVED—The 5th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 209.

An Act

Amending an act extending the powers of the Philadelphia Conference Tract Society, approved the fifteenth day of February, Anno Domini one thousand eight hundred and sixty, and changing the name and constitution of said society.

WHEREAS, The charter and constitution of the Philadelphia Conference Tract Society, are no longer suitable and adequate for the same, and an extension of their powers and change of their name and constitution is desired by said society; therefore,

SECTION 1. *Be it enacted, &c.*, That the Philadelphia Conference Tract Society, incorporated by the court of common pleas of the city and county of Philadelphia, on the tenth day of February, Anno Domini one thousand eight hundred and fifty-nine, be and they are hereby authorized and empowered, in addition to their present powers and privileges, to make the following changes in their articles of incorporation, charter and constitution, to wit: the name of said society shall hereafter be the Philadelphia Conference Tract Society of the Methodist Episcopal church; the proviso in said charter in reference to the clear yearly income arising from the estate of said society, is hereby stricken out and changed so that the limitation shall only be: "*Provided*, The clear yearly income arising from the real estate of said society shall not exceed thirty thousand dollars;" so much of said constitution as makes the said society auxiliary to the tract society of the Methodist Episcopal church, now having its headquarters in the city of New York, and as makes one of the objects of said society to be to promote the purpose of the present society by raising funds for it, is hereby altered, amended and stricken out; article third of said constitution is hereby amended so that the officers of this society shall consist of a board of thirty-five managers, seventeen of whom shall be ministers and eighteen laymen, all of whom shall be members of the Methodist Episcopal church; and the said society shall be managed and directed by said board of managers, in accordance with the provisions of the hereby amended charter and constitution of said society; the present officers shall continue as such until the election of a new board of managers, in accordance with the provisions hereinafter named; the said board shall, from its members, elect a president, five vice presidents, a secretary and treasurer; but the corresponding secretary shall be appointed from year to year, by the bishop presiding at each session of the Philadelphia annual conference.

SECTION 2. At the regular meeting of the said board of managers next preceding the ensuing Philadelphia annual conference of the Methodist Episcopal church, the said board of managers shall nominate not less than seventeen nor more

Preamble.

May make certain changes in charter and constitution.

How to be managed.

Officers.

Managers.

than thirty-four persons members of said conference in good standing, and shall send a list of the same to the tract committee of said conference, and therefrom said conference shall elect seventeen persons to be managers of said society, five of whom shall serve for one year, six for two years, and six for three years, and twelve of whom at least shall reside in the city of Philadelphia; at the expiration of the term of office of the managers elected as aforesaid, the said board shall nominate and the said conference elect their successors as hereinbefore provided, and at the expiration of their term or terms of office, their successors shall be elected for the term of three years in the manner hereinbefore described, so that there shall always be twelve of such managers resident in the city of Philadelphia; at the next annual meeting of said society there shall be elected eighteen laymen to serve as managers of said society, six of whom shall serve for one year, six for two years, and six for three years, and thirteen of whom at least shall reside in the city of Philadelphia; vacancies occurring in the board of managers by reason of death, resignation or otherwise, may be filled by the board of managers.

Vacancies.

How net profits of business to be applied.

SECTION 3. The net profits of the business of said society resulting from publishing and selling books, tracts, papers and periodicals, and from any other source, shall be applied in the first instance to the gratuitous circulation of tracts, to the purchase of real estate and erection of buildings, and for the purpose of enlarging and extending the business of said society, and to the fitting up, furnishing and stocking such building or buildings as may be deemed advisable by said board of managers, and thereafter the profits of said business shall be applied to such benevolent objects as the board of managers may, from time to time, determine.

If conference is divided, no property to be given to part set off.

SECTION 4. In the event of the division of said Philadelphia conference, or the setting off of territory now within the bounds of said conference, no part of the capital or other property of this society shall be given to the part of said conference so set off or divided, but the whole shall remain the property of the Philadelphia Conference Tract Society.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 210.

An Act

To incorporate the Pittsburg and South-Side Omnibus Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That John Appel, J. Park M'Kee R. S. Hemiup, A. F. Brooks, J. W. Ballentine, Wm. Coates, Charles Jeremy, Adam Weaver, George Wettengell

and A. B. Young, and such other persons as may be associated as stockholders, in accordance with the provisions of this act, shall be and constitute a body politic and corporate in law, under the name, style and title of the Pittsburg and South-Side Omnibus Company; and by said name they and their successors shall have perpetual succession, shall be capable of suing and being sued, pleading and being impleaded, in any and all courts of law and equity in this commonwealth or elsewhere; of contracting and being contracted, both relative to the business and objects of the corporation as herein-after declared; to purchase, hold and convey such personal property as they may deem proper, and to purchase, hold and convey, in fee simple or for any less estate, such real estate as may be necessary and proper for the convenient operation of the business of said corporation.

Title.

Powers and privileges.

SECTION 2. The business of said corporation shall be the transportation of freight, baggage and passengers, by omnibus, coaches and wagons, upon any route which may be selected by said company, from any part of the city of Pittsburg, between the Allegheny and Monongahela river, to any point or points in the thirty-fifth ward of the city of Pittsburg, Union, Stowe or Scott townships, in the county of Allegheny.

Business.

SECTION 3. The capital stock of said company shall be the sum of twenty thousand dollars, in shares of one hundred dollars each, with the right to increase the same by a vote of the stockholders to an amount, not exceeding fifty thousand dollars.

Capital stock.

SECTION 4. The persons named in the first section of this act, or any four of them, shall be authorized to open books and receive subscriptions to the capital stock of said company, at such time and place and in such manner as they may deem proper, and fix the terms and times of payment thereof.

Subscriptions.

SECTION 5. Whenever stock to the amount of ten thousand dollars shall have been subscribed, and cash paid thereon, to the amount of one thousand dollars, the above named corporators, who shall have acted in the receipt of subscriptions, shall give notice, personally, to all stockholders, or by advertisement in two daily papers of the city of Pittsburg ten days before the date of meeting, of a time and place, where and when said subscribers shall meet to organize said company.

Organization.

SECTION 6. Said stockholders shall be authorized at the meeting aforesaid, or at any subsequent meeting held in pursuance of adjournment or of notice given as aforesaid, to adopt a constitution and by-laws for the government of said corporation and the transaction of the business thereof, and from time to time to alter and amend the same in such manner as may therein be provided: *Provided however*, That said constitution and by-laws shall not be contrary to the constitution and laws of the United States or of the state of Pennsylvania.

Constitution and by-laws.

SECTION 7. No passenger railway shall be constructed, nor shall any public omnibuses be run along any portion of the route, which may be selected by said company on the south side of the Monongahela river, and upon which they may be

Damages for occupation of route by passenger railways, &c.

at the time actually and regularly running their omnibuses, coaches and wagons until said company shall be compensated for the damages done to their rights by the occupation of such route or part thereof; and if the parties cannot agree as to the mode or amount of compensation, either party may apply to the court of common pleas of Allegheny county, who shall appoint three disinterested persons who shall fix and determine the mode and the amount of compensation, and upon report to said court, said court shall make such further orders as may to them seem right and proper; and if they deem best, may upon the application of either party, direct an issue to all questions which may be raised in said proceedings, which issue shall be in such form and submit such questions as said court may direct: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 211.

A Supplement

To an act authorizing the constructing and making of Wildwood avenue, in the county of Allegheny, approved May first, one thousand eight hundred and seventy-two, providing for the assessment of damages incurred by opening the same.

SECTION 1. *Be it enacted, &c.*, That all persons whose land is taken or occupied, or proposed to be taken or occupied by Wildwood avenue, in the county of Allegheny, as laid out by the commissioners of said avenue, a plan of which is filed in the office of the clerk of the court of quarter sessions of said county, at number eighteen of June sessions, Anno Domini one thousand eight hundred and seventy-two, and who believe they will sustain damage by the same, shall apply by petition to the next term of the court of quarter sessions after the passage of this act, for the appointment of three disinterested persons as viewers, who shall proceed to assess such damages, if any, in the same manner as now provided by law in relation to roads in said county; and said commissioners shall publish in at least two daily newspapers in the city of Pittsburgh, a notice of the passage of this act, for at least ten days previous to the said next term of said court.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 212.

An Act

In reference to the laying out and opening of streets, lanes and alleys in the borough of Millvale, in the county of Allegheny.

SECTION 1. *Be it enacted, &c.,* That all and singular the provisions of the first, second, third, fourth and fifth sections of the act of the general assembly of this commonwealth, entitled "An Act relating to streets in the city of Allegheny," approved the first day of April, Anno Domini one thousand eight hundred and seventy, be and the same are hereby extended to the borough of Millvale, in the county of Allegheny. Certain provisions extended to.

SECTION 2. That all laws and parts of laws inconsistent herewith, be and the same are hereby repealed. Repeal.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 213.

A Supplement

To an act, entitled "A supplement to an act relating to the liens of mechanics and others upon buildings, so far as refers to the city of Philadelphia, providing for a speedy trial of certain claims."

SECTION 1. *Be it enacted, &c.,* That the security hereafter to be prescribed by the court having jurisdiction of any mechanic's claim, by reason of the fourth section of the act approved the first day of August, Anno Domini one thousand eight hundred and sixty-eight, entitled "A supplement to an act relating to the liens of mechanics and others upon buildings, so far as refers to the city of Philadelphia, providing for the speedy trial of certain claims," shall be a bond and warrant of attorney in double the amount of the claim to be executed by the defendant or defendants in said claim, and by one surety to be approved by the said court, who shall be an owner of real estate worth over and above all incumbrance, double the amount of said claim, upon which bond judgment shall be immediately entered in said court: *Provided however,* That the lien of said bond shall be confined to the particular real estate offered and approved by the said court as security. Kind of security to be entered in lieu of lien.

SECTION 2. That the remedy for the recovery of said claim for which security has been entered as aforesaid, shall be by writ or writs of *scire facias* thereon, in the manner now pre- Remedy for recovery of claim.

scribed by law, and upon final judgments thereon, execution by writ of *levari facias* shall immediately issue against the real estate so substituted as security for the collection of the amount of said judgment.

If money is paid into court, feigned issue may be ordered.

SECTION 3. That in the event of the money being paid into court, by reason of the said further section of the said act, approved August first, one thousand eight hundred and sixty-eight, a suit in the nature of a feigned issue may be ordered by the court upon the application of any person interested, to decide upon the validity of any claim for material or labor furnished to or for such building.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 214.

An Act

To authorize the state treasurer and auditor general to adjust the accounts of the Stroudsburg Bank.

SECTION 1. *Be it enacted, &c.*, That the state treasurer and auditor general be and they are hereby authorized and directed to examine and adjust the accounts between the commonwealth of Pennsylvania and the Stroudsburg Bank, for its payment of coin under laws heretofore in existence into the treasury, and when so adjusted to pay to the Stroudsburg Bank the sum so found to be due thereto if any.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 215.

An Act

An act to repeal an act, entitled "A supplement to an act relating to the lien of mechanics and others, upon buildings, approved the eleventh day of June, Anno Domini one thousand eight hundred and thirty-six," approved the third day of April one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the act relating to the lien of mechanics and others upon buildings, approved the

third day of April, Anno Domini one thousand eight hundred and seventy-two, entitled "A supplement to an act, entitled 'An Act relating to the lien of mechanics and others, upon buildings,' approved the eleventh day of June, one thousand eight hundred and thirty-six," be and the same is hereby repealed.

APPROVED—The 6th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 216.

An Act

To incorporate the West Laurel Hill Bridge Company, and to authorize said company to construct a turnpike road in Lower Merion township, Montgomery county, from their bridge, by way of Belmont avenue, to the boundary line between the city of Philadelphia and said county of Montgomery.

SECTION 1. *Be it enacted, &c.*, That John J. Smith, George B. Roberts, Benjamin M. Boyer, James Constable, Lloyd P. Smith, Percival Roberts, Nathan L. Jones, Samuel Simes and Horace J. Smith, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company under the name, style and title of the West Laurel Hill Bridge Company, for the purpose of building a bridge across the river Schuylkill, from a point in Lower Merion township, Montgomery county, near Pencoyd station on the Philadelphia and Reading railroad, to a point opposite, in the city of Philadelphia, and the said company shall be entitled to all the rights and privileges, and shall be subject to all the provisions and restrictions of the act regulating bridge companies, approved April twelfth, Anno Domini one thousand eight hundred and fifty-five, and the several supplements thereto: *Provided however*, That any number of subscribers to the requisite amount of stock, whether less or more than twenty, shall entitle said company to the benefits of said act: *And provided further*, That the road leading to such bridge, shall not cross the line of the Philadelphia and Reading railroad company at grade.

Commissioners.

Title.

Purpose.

Subject to.

Proviso.

Proviso.

SECTION 2. That the capital stock of said company shall be fifty thousand dollars, divided into shares of fifty dollars each, with authority in the president and managers of said company, to increase the said capital stock to any amount not exceeding one hundred and fifty thousand dollars.

Capital stock.

SECTION 3. That the said company when organized, shall have authority to locate and construct a turnpike road in Lower Merion township, Montgomery county, from their said bridge to Belmont avenue, and thence by way of said avenue

Authorized to construct turnpike.

Subject to.

to the boundary line between the city of Philadelphia and the said county of Montgomery, and shall for that purpose be entitled to all the rights and privileges, and subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

Examination of road.

SECTION 4. That upon the completion of the said turnpike road, although the same may be less than five miles in length, the said company shall be entitled to an examination of the same, and if approved according to law, shall be entitled to a license to erect a gate and collect toll for travel upon said turnpike road, but at no other place than at said bridge.

License to erect gate and collect toll.

May borrow money and issue bonds.

SECTION 5. The said company is hereby authorized to borrow money, not exceeding in amount one-third of the cost of constructing said bridge and turnpike, and to issue their bonds for the same, payable with interest not exceeding seven per cent.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 217.

An Act

Relating to the Ridge Avenue Passenger Railway Company, allowing said railway company to salt their track from Manayunk to Susquehanna avenue.

SECTION 1. *Be it enacted, &c.*, That all and singular the provisions of an act to repeal an act, entitled "An Act to protect the health of the citizens of the city of Philadelphia, approved the seventeenth day of April, one thousand eight hundred and sixty-nine," so far as relates to the Frankford and Southwark Passenger Railway and the Second and Third Streets Passenger Railway, approved October third, one thousand eight hundred and seventy, and extended to the West Philadelphia Passenger Railway, Philadelphia City Passenger Railway and the Hestonville, Mantua and Fairmount Passenger Railway, by an act approved March twentieth, one thousand eight hundred and seventy-two, be and the same are hereby extended to the Ridge Avenue Passenger Railway Company, and the said company are hereby fully authorized to use and employ salt in cleaning their track from ice and snow, from Manayunk southward to Susquehanna avenue.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 218.

A Supplement

To an act granting certain authority to the burgess and town council of the borough of Warren, to make regulations concerning the erection of wooden buildings in business portions of said borough.

SECTION 1. *Be it enacted, &c.*, That nothing in said act to which this is a supplement, or in the ordinance passed or hereafter to be passed by the burgess and town council of the borough of Warren, shall prevent the owner or owners of lots numbers nine, ten and eleven, on the south side of Water street and west of Liberty street, in said borough, from building or constructing wooden buildings thereon as long as the present wooden row remains adjacent thereto.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 219.

An Act

Relating to the liens of mechanics, material-men and laborers upon leasehold estates and property thereon in the county of Butler.

SECTION 1. *Be it enacted, &c.*, That all persons furnishing materials for or about the erection, construction or repair of any engine, engine house, derrick, tank, machinery or wood or iron improvement, or for or about any building which may be constructed, erected or repaired upon any leasehold, lot or parcel of ground, or coal and material furnished necessary for the improvement or developement thereof, held either by written or verbal lease for any term of years, and which shall or may be so constructed, erected or repaired by the tenants or lessees of said leased estate, or for them or for their use and benefit, shall have a lien upon all such engine or engines, material, machinery, buildings, tanks, wood or iron improvements, as may be upon or pertaining to said leasehold, lot or parcel of ground, at the time such claim may be filed as hereinafter provided, together with the lease, lot or parcel of ground on which the same is situated, for the price and value of the materials so furnished: *Provided*, Lien for erection or repair of engines, &c., upon leaseholds. That the lien hereby given, shall extend as to such lease or lot, only to the interest of the lessee or lessees, tenant or tenants therein, and nothing herein shall be so construed as to Proviso.

prevent material-men from enjoying the privileges hereby granted as against the lessees or tenants of the like estates for any other purpose than that of the developement of oil.

Workmen to have
a lien.

SECTION 2. That all persons doing work for, on or about the erection, construction or repair of any engine, engine house, tanks, derrick, building, machinery, wood or iron improvement, erected, constructed or repaired upon any leasehold estate as aforesaid, or for boring, drilling or mining on said lease or lot for the developement or improvement of the same, whether such labor is or may be done by the day, month or year, or by contract for the tenant or tenants, lessee or lessees of such lot or lease of parcel of land, or for their use and benefit, shall have a lien upon the personal property and fixtures on said lot or lease of ground, and upon such lot or leasehold itself for the price and value of such work and labor: *Provided*, That such lien shall extend as to said labor leasehold only to the interest of the tenant or tenants, lessee or lessees therein, and nothing herein shall be so construed as to prevent laborers and mechanics from enjoying the privileges hereby granted as against the lessees or tenants of the like estates for any other purpose than that of the developement of oil.

Proviso.

SECTION 3. Every person entitled to a lien by the provisions of this act shall file in the office of the prothonotary of the court of common pleas of the county in which such leasehold and property is situated, within three months from the time the last work was done, or last materials furnished, a statement of his claim or demand verified by affidavit, which shall set forth,

Form of claim.

First. The names of the party claimant, and of the owner or owners of the property, and of the names of the person or persons with whom the contract was made, and for whom the work was done or materials furnished.

Second. The sum of money claimed to be due, and the kind of work done, and the kind and amount of materials furnished, and the time when the work was done or materials furnished, with the date and amount of each item.

Third. The locality of the property, with a particular description of each and every part thereof against which the said claim is filed, with the size and boundaries of the lease, or lot or parcel of ground, designating it by number, if any there be, and such other matters of description as shall be sufficient to identify the same.

Duration of lien.

SECTION 4. Every such debt as aforesaid shall be a lien as aforesaid, for the period of three months after the last work shall be done, or the last materials furnished, although no claim shall have been filed therefor, and no longer; but no such lien shall continue but shall be released and discharged unless the party claimant, or his legal representative, shall, within three months from the date of filing his statement of claim, as aforesaid, prosecute the same by causing a *scire facias* to be issued thereon, as provided by the act of June sixteenth, one thousand eight hundred and thirty-six.

Proceedings for en-
forcement of such
lien.

SECTION 5. All proceedings under this act, to enforce the collection of claims, shall be as provided by the act of June

sixteenth, one thousand eight hundred thirty-six, except that in case no person can be found, upon whom service can be made of the writ of *scire facias*, service thereof shall be had, in addition to posting a copy of the writ in the most public part of the premises, by publication of the same in two newspapers published in said county, one in the paper of each political party, which publication shall be made for two successive weeks prior to the return day of said writ.

SECTION 6. From and after the filing of any claim, under the provisions of this act as aforesaid, it shall not be lawful for any owner or owners, contractor or contractors, lessee or lessees, tenant or tenants, of any property named and described in such statement of claim, or their assignees or sublessees, to remove, or attempt to remove, the same from such lot, lease or parcel of land, while the said claim remains unpaid, pending and undetermined: *Provided*, The said party claimant shall sue out a writ of *scire facias* upon said claim, within three months from the day of filing the same, as hereinbefore provided; and in any case of any such removal, or attempted removal, actually begun, it shall be lawful for any such claimant, his agent or attorney, acquainted with the facts, to apply to the court of common pleas of said county or any judge thereof in vacation, by petition, setting forth the facts, under oath and an affidavit of a good and subsisting cause of action under this act; and it shall be the duty of such court or judge to hear the same immediately, and upon such hearing, and upon being satisfied of the truth of said petition, to issue an order under seal of the said court, directed to the sheriff of the county, commanding him forthwith to seize and hold said property until said claim shall be heard and determined: *Provided*, That the court shall have power at any time thereafter to vacate such order, upon good cause shown, upon such tenant or tenants, owner or owners, lessee or lessees, entering into good and sufficient bond to the claimant, with freehold security, which shall contain a warrant of attorney to confess judgment, without stay of execution, in double the amount of such claim, conditioned that such owner or owners, tenant or tenants, lessee or lessees, and their sureties, will pay whatever may be adjudged against them together with costs. Effect of lien.

SECTION 7. The provisions of this act shall extend only to the county of Butler, and shall in no way affect contracts heretofore made or proceedings heretofore commenced under former acts; and the acts of April eighth, one thousand eight hundred and sixty-eight, March sixth, one thousand eight hundred and seventy, and May twenty-sixth, one thousand eight hundred and seventy-one, are hereby repealed, so far as the same relates to the county of Butler. Not to affect previous contracts.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 220.

An Act

Authorizing the council of the city of New Castle to borrow money for the purpose of purchasing fire engines, hose and other apparatus, for the use of said city in extinguishing fires.

May borrow money
and issue bonds.

SECTION 1. *Be it enacted, &c.*, That the council of city of New Castle are hereby authorized to borrow any sum or sums of money, not exceeding twenty thousand dollars, at a rate of interest not to exceed seven and three-tenths per centum per annum, and to issue bonds for the money so borrowed: *Provided*, That no bond shall be for less amount than one hundred dollars.

Exempt from local
taxation.

SECTION 2. That all bonds issued by virtue of this act shall be exempt from all taxes except for state purposes.

How borrowed
moneys to be ap-
plied.

SECTION 3. That the money borrowed as provided in section first, shall be applied to the purchasing of a fire engine or fire engines, hose, hose carriages and other apparatus necessary for the use of the city in the extinguishment of fires, and the building of cisterns, laying of pipe to supply the same with water.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 221.

An Act

Regulating the indexing of mortgages in the county of Lehigh.

SECTION 1. *Be it enacted, &c.*, That it shall be the duty of the recorder of deeds of the county of Lehigh, to note on the margin of the grantors index of mortgages recorded, a brief abstract of the dates of execution and of entry of the real debt secured, when the same becomes due, of the city, borough or township where the mortgaged premises are located, the contents thereof, and the street or one or more of the adjoining owners of lands whereon such premises abut, (in all cases using figures where the same are practicable,) for which service said recorder shall receive twenty-five cents on each mortgage in addition to the fees now allowed.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 222.

An Act

To legitimate Josiah F. Hook, of Glade, Warren county, Pennsylvania, and confer upon him the rights and privileges of a child born in lawful wedlock.

SECTION 1. *Be it enacted, &c.*, That Josiah F. Hook, the illegitimate son of Francis Hook, now of the township of Glade, county of Warren, and state of Pennsylvania, shall, have and enjoy all the rights and privileges to which he would have been entitled as if he was the legitimate son of the said Francis Hook, and born to him in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and effectually as if he had been born in lawful wedlock the son of the said Francis Hook.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 223.

A Supplement

To an act, entitled "An Act to authorize the school directors of the borough of Pleasantville, Venango county, to borrow money, to issue bonds and to levy and collect a tax," approved the twenty-third day of March, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Pleasantville, Venango county, be and they are hereby authorized to borrow under the provisions of the act approved the twenty-third day of March, Anno Domini one thousand eight hundred and seventy-two, to which this is a supplement, a sum of money not exceeding seven thousand dollars, in addition to the amount authorized by said act.

Authorized to borrow money.

SECTION 2. That all bonds issued in pursuance of the authority granted by the act to which this is a supplement or of this supplement, shall be exempt from all taxes except state taxes.

Bonds exempt from local taxation.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 224.

An Act

To authorize the immediate opening of Delaware avenue, in the city of Philadelphia.

WHEREAS, By an act of assembly, entitled "An Act to authorize the widening of Delaware avenue, and to locate the same continuously upon the public plans of the city of Philadelphia," approved the fifteenth day of May, one thousand eight hundred and seventy-one, the councils of said city were authorized to widen Delaware avenue upon the east side thereof, so that the width of the said avenue should not exceed eighty feet:

And whereas, The councils of the said city by an ordinance, entitled "An ordinance to widen Delaware avenue," approved the thirteenth day of May, one thousand eight hundred and seventy-two, did authorize and direct the department of surveys, in pursuance of the said act of assembly, to locate Delaware avenue from the north side of Dock street to Washington street, by increasing the width thereof upon the east side, and did thereby widen the said avenue to the width of eighty feet:

And whereas, The plan numbered two hundred and nine, prepared in accordance with the aforesaid authority, and now on file in the office of the department of surveys, was, after due legal notice, confirmed by the board of survey, on the twenty-fourth day of June, one thousand eight hundred seventy-two; now therefore,

SECTION 1. *Be it enacted, &c.*, That the chief commissioner of highways of the city of Philadelphia, be and he is hereby authorized and directed to open Delaware avenue forthwith, from the north side of Dock street to Christian street, of the width of eighty feet, in accordance with the aforesaid plan, numbered two hundred and nine: *Provided*, That any proceedings which may have been instituted for the assessment of damages in consequence of the proposed opening of the said avenue of the width aforesaid, shall not be thereby affected.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 225.

Supplement

To the several acts in relation to the borough of Gettysburg, authorizing said borough to borrow money, levy a special tax, change the mode of collecting borough and school taxes, and to elect auditors.

SECTION 1. *Be it enacted, &c.*, That the town council of the borough of Gettysburg, in the county of Adams, are hereby authorized and empowered to borrow money, not exceeding fifteen thousand dollars, and as evidence thereof, and security for the re-payment of the same, to issue coupon bonds of the said borough, payable to bearer; one-third thereof payable in not less than one year, nor more than five years, redeemable after one year at the option of the town council, one-third thereof payable in not less than five years, nor more than ten years, redeemable after five years at the option of the town council, and the remaining one-third payable in not less than ten years, nor more than fifteen years, redeemable after ten years at the option of the town council; said bonds to be in denominations not less than one hundred dollars, and not to be negotiated at less than par, and to bear interest payable semi-annually not exceeding six per centum per annum; the bonds herein authorized to be issued, or the proceeds of the sale thereof, shall be devoted exclusively to the payment of the present indebtedness of the said borough, and the said bonds shall be exempt from taxation except for state purposes.

Council authorized to borrow money and issue bonds.

How bonds to be used.

Exempt from local taxation.

SECTION 2. That said town council shall have power to cause to be assessed and levied, on all property, trades, occupations and professions in said borough, now by law made taxable for state, county or borough purposes, a special tax, in addition to the taxes now authorized by law to be assessed and levied, not exceeding in any one year five mills on the dollar.

May levy special tax.

SECTION 3. That all moneys arising from said special tax shall be applied to the redemption of the bonds issued under the provisions of this act, and the bonds thus redeemed shall be cancelled and not re-issued.

How moneys arising from tax to be applied.

SECTION 4. That all the taxes hereafter levied by the town council of the borough of Gettysburg, and by the board of school directors of the school district of the borough of Gettysburg, shall be payable and collected as follows: The treasurer of each of said boards, after receiving the tax duplicate, shall attend not less than three days in the last weeks in June, August and February, in each year, at some convenient place, to receive the taxes, after giving at least twenty days' notice of the time and place of such meetings, by publication in two newspapers printed in said borough, and by not less than ten printed bills, posted in public places; on all taxes which may be paid before the first day of July after

How borough and school taxes to be collected.

such notice, an abatement of five per centum shall be allowed, after which date no abatement shall be made; on all taxes which are not paid before the first day of the following September, five per centum shall be added, and the treasurer shall collect the same; on all taxes not paid before the first day of the following March, ten per centum shall be added to the original tax, and be collected by the treasurer, constable or collector.

Council and school directors to issue warrant for collection of unpaid taxes.

SECTION 5. The town council and board of school directors shall have power, and it is made their duty, to issue their warrant, under the hand and seal of the president and secretary, for the collection of all unpaid taxes, on the first day of March, for the taxes of the preceding year, with ten per centum added to the amount of the original tax, to a constable of said borough, who shall be required to collect the same or to a collector to be by said town council or school directors duly appointed, on giving bond, with sufficient security, in double the amount of the taxes embraced in the duplicate; and the said constable or collector shall have all the powers, rights, privileges and remedies in and about the collection of said taxes and percentage, which collectors of taxes now have by law; the said treasures and collectors shall receive such compensation for said services as the town council and school directors may determine.

Powers of constable or collector.

Compensation.

Election of auditors.

Their duties, powers, &c.

SECTION 6. That at the next annual election for burgess, town council and school directors of the borough of Gettysburg, the qualified voters for school directors shall elect three auditors, one to serve for one year, one to serve for two years, and one to serve for three years, and annually thereafter at the same period one auditor; and said auditors shall perform all the duties, and be subject to all the rules and regulations, and have all the powers of township auditors, and shall at the periods provided in the act relating to township auditors, audit, settle and adjust the accounts of the treasurers of the borough of Gettysburg, and the school district of the said borough, and such other officers of said borough as may by law be referred to them; and the provisions of the act of assembly, regulating appeals from the settlements of auditors of townships accounts, shall apply to the said borough and school district.

Appeals.

Repeal.

SECTION 7. All laws inconsistent with this act are hereby repealed.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 226.

An Act

To authorize and direct the chief commissioner of highways of the city of Philadelphia, to open Berks street in the said city, from Howard to Seventh street, as the same is laid down on the plan of the said city after giving notice to property owners.

SECTION 1. *Be it enacted, &c.*, That the chief commissioner of highways of the city of Philadelphia, be and he is hereby authorized and directed to give notice to the owners of property on the line of Berks street, from Howard to Seventh street, in the Nineteenth ward of the said city, as the same is laid down on the plan of said city, that he will proceed to open the said street at the expiration of three months from said notice, and at the expiration of the said three months, it shall be the duty of the said commissioner to open the said street for public use.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 227.

An Act

To incorporate the Wyoming Bridge Company.

SECTION 1. *Be it enacted, &c.*, That Payne Pettibone, Jesse B. Schooley, John Sharps, James P. Atherton, Steuben Jenkins, John Mitchell, William S. Shoemaker, J. H. Swoyer, Charles Dorrance, John M. Stark, Ziba Bennett, Jas. H. Jenkins, Amos F. Barnum, Alvah Tompkins and John B. Smith, of Dunmore, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company under the name, style and title of the Wyoming bridge company, for the purpose of building a toll bridge across the Susquehanna river, between the townships of Kingston and Jenkins, Luzerne county, at or near Miller's ferry.

SECTION 2. That the capital stock of said company shall be sixty thousand dollars, to be divided into shares of fifty dollars each.

SECTION 3. That the said company may borrow any sum of money not exceeding twenty thousand dollars, for the purpose of building and completing said bridge, at a rate of interest

Commissioners.

Title.
Purpose.

Capital stock.

May borrow money
and issue bonds.

not exceeding seven per centum per annum, and issue bonds or certificates of indebtedness therefor, in sums not less than one hundred dollars each, free from county, township and borough taxes, and to pledge the said bridge and the tolls received therefrom for the payment of the same.

Exempt from local taxation.

Executors, guardians, &c., may subscribe to stock and purchase bonds.

SECTION 4. That any executor holding moneys to be invested under the will of a testator, any guardian or trustee, with the consent of the orphans' court of Luzerne county, shall have power and authority to subscribe to the stock of the said company, and to purchase its bonds or certificates of indebtedness; and in case of subscribing to said stock, such executor, guardian or trustee shall have the right to vote for such stock at any election of the company, the same as an individual in his own right.

Also banks, railroad companies, &c

SECTION 5. That any incorporated bank, railroad, street or horse railroad, coal or iron company, or manufacturing company or association, or insurance company, shall have the power to subscribe to the capital stock, or to purchase the bonds or certificates of indebtedness of the said the Wyoming Bridge Company; and such subscribing company or association shall be represented at the elections of said bridge company, and their share of stock be voted upon by such person or persons, as may be designated by such companies or associations.

Votes at elections.

SECTION 6. That the stockholders in said company shall each be entitled at every election of the said company, to one vote for every share of stock owned by such stockholder, on which all the instalments called for more than thirty days previous to such election, have been fully paid up at the time of the election.

How site to be determined.

SECTION 7. That the exact site of the said bridge shall be determined by a vote of the stockholders entitled to vote under the provisions of this act after due notice.

May build railroad track on bridge.

SECTION 8. That the said bridge company shall have the right to build a railroad track on said bridge or the piers thereof, or to permit the same to be done by any railroad company, by the consent of a majority of the stockholders, at an election to be held for that purpose after due notice.

Subject to.

SECTION 9. That the said the Wyoming Bridge Company shall be organized under, and be subject to all the provisions and restrictions of an act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, and the supplements thereto, except as is herein otherwise provided.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 228.

A Supplement

To an act, entitled "An Act to incorporate the Saving Fund Society of Germantown and its vicinity," approved the sixth day of April, one thousand eight hundred and fifty-four, to authorize the payment of other rate of interest than four per cent. upon money deposited.

SECTION 1. *Be it enacted, &c.*, That so much of the second section of the act, entitled "An Act to incorporate the Saving Fund Society of Germantown and its vicinity," as directs that the money deposited in the said saving fund, shall bear an interest at the rate of four per cent. per annum, be and the same is hereby repealed, and the managers of the said society shall have power to pay such rates of interest upon money deposited therein, not exceeding six per cent. per annum, as they shall from time to time allow.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 229.

An Act

Prescribing the mode and manner of electing the clerks of the city of Pittsburg, and defining their duties.

SECTION 1. *Be it enacted, &c.*, That at the first meeting of the select and common councils of the city of Pittsburg, held in the month of April next, and every third year thereafter, said councils shall meet in joint session, and elect *viva voce* a clerk, to be styled city clerk, and one person as assistant clerk, to serve for the term of three years, and until successors are duly elected, if they shall, respectively, so long behave themselves well. Electi
and a

SECTION 2. The city clerk shall be the clerk of the select council and of all committees, regular or special, except such committees as are otherwise provided for, and shall keep an office in the city hall building, or such other place as council may provide; he shall publish and record the ordinance of councils, and perform such other duties as council may provide. Duties of clerk.

SECTION 3. The assistant clerk shall be the clerk of the common councils, and shall assist the clerk in such duties as shall be assigned him by the councils. Duties of assistant.

May administer
oaths.

Further duties.

SECTION 4. The said clerk and his assistant shall have power to administer oaths or affirmation to any person or persons whomsoever, in any business relating to the city councils or committee business; they shall keep accurate minutes of the proceedings of their respective councils and committees in books provided for that purpose, to preserve all papers belonging thereto in the office of the clerk; and all books and papers under the charge of said clerk or his assistant, all papers presented in either council, and all motions, resolutions or ordinances, rules regulations, et cetera, finally passed by said councils, shall be kept on file in said office; and there shall be made by said clerks and kept in said office an index, under appropriate headings, of all actions of councils with reference to the date of such action, and the docket and page in which a minute shall have been made.

Office to be kept
open.

SECTION 5. The office of the city clerk shall be kept open at all times during each business day, from nine of the clock A. M. until five of the clock P. M., when and where said clerk or his assistant shall be in constant attendance.

Salaries.

SECTION 6. The salaries of the said clerk and his assistant shall from time to time be fixed by ordinance of councils, but said salaries shall not be increased or diminished during the terms of said clerk.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 230.

A Further Supplement

To an act to incorporate the Schultsville, Mill City and Tunkhannock Turnpike Road Company, prescribing the manner of adjusting all claims for damages, establishing the rates of toll, and the penalty for injury done their roads, also authority to sell their branch roads, and to purchase real estate and dispose of the same.

How claims for
damages to be ad-
justed.

SECTION 1. *Be it enacted, &c.,* That hereafter all claims for damages against the Schultsville, Mill City and Tunkhannock Turnpike Road Company shall be amicably adjusted and settled by three disinterested freeholders, or any two of them, two of whom shall be mutually chosen, upon at least ten days' previous notice by the party aggrieved to the president of the said company, by the parties, and said two chosen shall choose a third, or if either party upon due notice shall neglect or refuse to join in the choice, then to be chosen by a justice of the peace of the county wherein the road lies, and after taking into consideration the advantages, as well as the disadvantages, of the road; their award shall be final and conclusive, without the right of appeal.

SECTION 2. The toll rates, hereinafter mentioned, shall be as follows: For every five miles of road, and so in proportion for any lesser or greater distance, or for any greater or lesser number of sheep, hogs or cattle, to wit: For every score of hogs, five cents; for every score of sheep, five cents; for every score of cattle, ten cents; for every horse and his rider, or lead horse, three cents; for every sulky, eight cents; for one-horse buggy, wagon or sleigh, eight cents; for one-horse top carriage, ten cents; for two-horse lumber wagon, two-horse carryall, or two-horse sleigh, ten cents; for two-horse top carriage or peddler's wagon, twelve cents; for four-horse lumber or bark wagon, sixteen cents; for four-mule lumber or bark wagon, sixteen cents, and for show or stage wagon, twenty cents; also may collect tolls on their branch road, between Schultzville and Clark's Summit whenever two and a-half miles have been completed and accepted by the president and managers, as fully and with the same powers and privileges as if the whole were completed. Tolls.

SECTION 3. That it shall not be lawful for any person or persons to drag logs, stone, or other material chained to or under any wagon or carriage, along or over said road, so as to tear up or injure the said road, nor to fill up the side-ditches or cross-drains, under a penalty of ten dollars for each and every violation of this section, recoverable with costs of suit as debts of like amount are now recoverable before a justice of the peace of the proper county, one-half thereof for the use of the informer, who is hereby declared to be a competent witness in the case, and the other half for the use of the said company. Penalty for injuring road.

SECTION 4. That the said company may, by a vote of the stockholders at a meeting convened for that purpose, have power to sell and convey to the purchaser by deed, signed by the president and countersigned by the secretary of the company, their branch road from Schultzville to Clark's Summit, in the county of Luzerne, and also may sell their branch from the junction of turnpike, near the house of John Pattons to Buttermilk Falls, in the county of Wyoming; also may purchase real estate to any amount not exceeding two hundred acres, with power to sell, lease, mortgage, or otherwise dispose of the same, or any part thereof, as they may see fit, and to do such other acts as may promote the improvement of their property and carry out the intent and meaning of this act. May sell branch roads.
May purchase and sell real estate.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 231.

An Act

To provide for the payment of the debt of the borough of Venango City.

Preamble.

WHEREAS, By an act of the general assembly of the commonwealth of Pennsylvania, approved the first day of March, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act to incorporate the city of Oil City, and to provide for the payment of the debt of the borough of Oil City," the inhabitants of the borough of Oil City and Venango City, and certain districts immediately adjoining said boroughs, were incorporated into the city of Oil City, in which were vested the general political powers of said boroughs.

And whereas, In view of the inequality of the indebtedness of said boroughs, it was provided that no portion of said city lying south of the Allegheny river, (which portion included the borough of Venango City,) should be liable for the payment of the debts of the borough of Oil City, and no portion of said city lying north of said river should be liable for the payment of the debts of the borough of Venango City.

And whereas, It has been ascertained that indebtedness to the amount of about four hundred dollars, contracted by the borough of Venango city, still remains unpaid, and for the payment of which no provision has been made.

Last burgess and council may levy tax to pay indebtedness.

SECTION 1. *Be it enacted, &c.*, That George T. Forman, the last duly elected and qualified burgess of said borough, William Phillips, J. Latshaw, Amos P. Dale, C. Simpson, Samuel M. Irwin and R. D. M'Creary, the last duly elected and qualified town council of said borough, or a majority of them, are hereby authorized and empowered to make an estimate of the sum of money which will be sufficient to pay the indebtedness of said borough, including necessary expenses, and to levy a tax sufficient to cover the amount on all property taxable by law for county rates and levies within said borough, for the ascertainment of which they shall use the list and valuation made under the direction of the county commissioners of Venango county, for the year one thousand eight hundred and seventy-one, and to appoint a collector of said tax, and to issue to said collector a duplicate of the taxes so assessed, and their warrant therein, authorizing and requiring the collector to demand and receive from every person in such duplicate named, the sum wherewith such person stands charged; and for the recovery thereof, such collector shall have all the powers given to the collectors of county rates and levies, by the twenty-first section of an act of the general assembly of the commonwealth of Pennsylvania, approved the fifteenth day of April, one thousand eight hundred and thirty-four, and shall pay over the same to the said burgess and town council, or to whomsoever they, or a ma-

May appoint collector.

of collector

To pay over moneys collected.

majority of them, may designate to receive it, less five per centum for collection.

SECTION 2 That the said burgess and town council are further authorized and empowered, to demand, receive or collect in the name of said borough, as debts of like amount are collectible, all moneys which may be due said borough, and to appropriate the same with the tax aforesaid as hereinafter directed.

Burgess and council may collect moneys due borough.

SECTION 3. That the said burgess and town council shall appropriate the taxes and money hereinbefore authorized to be collected, to the payment of the debt of the said borough of Venango city, and shall take receipts therefor, to whom all creditors or claimants are hereby required to present their claims, before the first day of January, in the year one thousand eight hundred and seventy-five, after which time they shall make a report to the court of common pleas of Venango county, stating the amount of the taxes and moneys by them received, the amount of indebtedness paid, with the vouchers therefor, and the claims that are disputed, if any, with the names of the claimants and the amount of each claim; and thereupon the court shall have power to appoint an auditor to inquire into the correctness of said report, and to ascertain the facts in relation to disputed claims if any, by giving notice, hearing evidence and making report as required by the rules of said court in other cases; and the said court shall have jurisdiction over all the subject matter thereof, and shall take such action in reference to exceptions thereto, and confirmation thereof, as may be calculated to do justice to all parties concerned, and in case of disputed claims, shall have power to summon the parties to appear and award issues, which shall be fairly and fully tried, and judgment entered on the verdict of the jury; and any decree of confirmation or judgment so rendered, shall be final and conclusive on all parties concerned.

How to appropriate money and taxes.

To make report to court.

Powers of court.

SECTION 4. That any money which may remain in the hands of the said burgess and town council, after payment of said indebtedness and necessary expenses, shall be paid to the treasurer of the board of school directors of said borough, now known as the second district of the city of Oil City, to be used as school funds, and the said court shall have power to order and enforce the payment thereof.

How surplus moneys to be appropriated.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 232.

A Supplement

To an act to provide for the erection of a house for the employment and support of the poor of the county of Cambria, approved the fifth day of May, one thousand eight hundred and fifty-four.

Directors to draw orders on county treasurer for goods furnished, &c.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this supplement, the directors of the poor and house of employment of Cambria county shall draw their orders directly on the treasurer of Cambria county for such sums or amounts as they may find to be due to any individual or firm, for goods, wares, merchandise, provisions, labor or services furnished for or rendered in support of the poor of said county, and for any and all sums or amounts to be paid in pursuance of the intention and meaning of the said act; and it shall be the duty of the said treasurer of Cambria county to pay the said orders in the same manner as county orders drawn by the commissioners of said county are now paid: *Provided*, That the sum total of the amounts so paid by said treasurer shall not, at any time, exceed the amount of the estimate which the directors of the poor are required to furnish to the commissioners of said county on or before the first day of November, in each and every year, of the probable expenses of the poor and poor house for one year, under the fifth section of the act to which this is a supplement, except for such amount as may be received in accordance with the third section of this supplement from the said directors of the poor: *And provided further*, That the said treasurer of Cambria county shall not receive any salary or commission for his services in paying the orders drawn by the said directors of the poor, other than that which he now receives on said fund as county treasurer; the purpose of this act being to abolish the office of poor house treasurer, and with it the payment of any salary or commissions to such officer.

Treasurer not to receive salary for paying orders.

County auditors to audit accounts.

SECTION 2. That at the regular annual settlement of each year, the county auditors of Cambria county shall audit and settle the account of the said treasurer of Cambria county, making a separate and distinct account and statement with him of the said poor house fund, and of all amounts passing into or through his hands on account of the poor and house of employment of Cambria county; keeping the same separate and distinct from the regular account of the said treasurer as custodian of the funds of the county.

Moneys collected by directors to be paid to county treasurer.

SECTION 3. That all sums or amounts hereafter becoming due and payable to the directors of the poor of said county, in any manner, except by the usual mode of taxation, shall be paid by said directors when collected to the said treasurer of Cambria county, who shall thereupon credit the amount thereof to the poor and house of employment of said county,

in addition to the amount to be fixed each year by the estimates of the directors of the poor for the expenses of the same.

SECTION 4. That instead of paying the amount of the annual estimates to the directors of the poor, as required by the fifth section of the act to which this a supplement, the county commissioners shall draw their warrants or orders in favor of the poor and house of employment of Cambria county, and deliver the same to the treasurer of Cambria county, who shall credit the same to the poor and house of employment of Cambria county, in an account to be kept by him for that purpose; the said warrants or orders to be drawn upon or after the written request of the directors of the poor; and the orders drawn by the directors of the poor and paid by the treasurer of Cambria county, shall be charged to the account of the poor and house of employment of Cambria county by the said treasurer: *Provided*, That no interest shall be allowed on any order of the directors of the poor unless the same shall bear the endorsement of the treasurer of Cambria county, stating that it was presented on the ——— day of ——— eighteen ——— and no funds.

Orders of directors,
how to be drawn,
&c.

SECTION 5. That the office of poor house treasurer in Cambria county is hereby abolished, and so much of the act to which this is a supplement as is by this act altered or supplied is hereby repealed.

Office of poor house
treasurer abolish-
ed.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 233.

A Further Supplement

To an act, entitled "An Act to incorporate the Lackawanna and Bloomsburg Railroad Company," approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two, authorizing an increase of capital stock.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the said the Lackawanna and Bloomsburg Railroad Company to, from time to time, increase their capital stock beyond the amount now by law authorized, to such extent and amount as the directors of said company may deem expedient: *Provided*, That the whole amount of the capital stock of said company shall not, at any time, exceed seven million dollars.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 234.

A Supplement

A supplement to an act to incorporate the American Volunteer Printing Company, approved June twenty-eight, one thousand eight hundred and seventy-one.

Additional corporators.

SECTION 1. *Be it enacted, &c.,* That Jacob Reese, J. Harvey Jones, Thos. H. Davis, Rev. H. E. Thomas, Rev. T. C. Davis, David Lloyd, James Reese, Miles S. Humphreys, Charles Jeremy, Evan Jones, B. N. Morgan, H. J. Thomas, Owen Jones, Isaac Victhenstein, David Mathias, Rev. John P. Davis, Thomas L. Llewellyn, David Evans, John Gray, Joseph Jones, T. D. Evans, Jenkin Jones and Henry Lloyd, in addition to the persons named in the first section of the act to which this is a supplement, their associates and successors, are hereby authorized to organize the company incorporated by the act to which this is a supplement.

Capital stock changed.

SECTION 2. That the capital stock of said company is hereby changed to one thousand shares, of ten dollars each, with the privilege of increasing the same to any sum necessary for the purposes of the corporation, not exceeding fifty thousand dollars.

Board of directors.

SECTION 3. The board of directors of said company shall not be less than nine nor exceed thirteen in number.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 235.

An Act

To incorporate the Union Turnpike Road Company, in the county of Luzerne.

Commissioners.

SECTION 1. *Be it enacted, &c.,* That D. G. Larned, D. C. Koons, Thomas Winans, or their assigns, be and they are hereby appointed commissioners to open books, receive subscription and organize a company, by the name, style, and title of the Union Turnpike Road Company, with power to locate and construct a turnpike road from the borough of Shickshinny, in the county of Luzerne, to Fairmount Springs, in the township of Fairmount, in said county of Luzerne, on the site of any public road or roads otherwise as the said company may direct, subject to all the provisions and re-

Title.

Construction of turnpike authorized.

Subject to.

strictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto, excepting that portion of which relates to the collection of tolls.

SECTION 2. That the company hereby incorporated shall have power to regulate their tolls, appoint toll gatherers, and punish frauds, agreeably to the provisions and restrictions of the twelfth section of an act, entitled "An Act authorizing the governor to incorporate the Philadelphia and West Chester turnpike road company," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and forty-eight: *Provided*, That the rate of toll shall not exceed two and a half ($2\frac{1}{2}$) cents per mile, or at the same rate for a lesser distance, for each horse, mule, working cattle, or other animal, traveling over said road, whether attached to any vehicle or vehicles or otherwise, and without reference to the breadth of tire of said vehicle or vehicles, and shall not be liable for a fractional part of a cent in making change; and all the remedies for the enforcement of the payment of tolls, or for the recovery of the penalties for refusing or evading the payment of the same, heretofore conferred upon said company, are hereby extended to the tolls chargeable under this act. Tolls, toll gatherers, &c.

SECTION 3. That when the company hereby incorporated, shall have finished one mile or more of this road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth day of January, one thousand eight hundred and forty-nine. Notice to governor.

SECTION 4. That the capital stock of said company shall consist of five hundred shares of ten dollars per share: *Provided*, That the said company may, from time to time, by a vote of a majority of the stockholders, at a meeting called for that purpose, increase their capital to so much as may be necessary, in their opinion, to complete the road and carry out the true intent and meaning of this act: *Provided*, That each stockholder shall be entitled to cast one vote in person, or by proxy, for each and every share of stock by each stockholder then owned. Capital stock. Votes.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 236.

An Act

To incorporate the Ashley Farm Company in Delaware county,
Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That George S. Good, Samuel H. Harvy, M. D., Charles Wallaston, Edward Worth, and Corporators.

Title. Powers and privileges.	such other persons as may associate with them, by subscribing to the capital stock hereinafter named, and their successors and assigns be and they are hereby created a body politic and corporate, in deed and in law, by the name, style and title of the Ashley Farm Company; and by that name shall have perpetual succession, and shall be able and capable in law and equity to sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere; shall have a common and corporate seal; shall be competent to make by-laws and regulations for the government of the affairs of the corporation, not inconsistent with this act or the constitution and laws of this commonwealth, and generally shall have power to do and perform all those acts that are usually necessary and proper for the efficient management and well-being of the corporation hereby created.
Directors.	SECTION 2. That the affairs of said company shall be managed by a board of three directors, who shall be elected annually by the stockholders; said board to elect one of their number president, and to have power to appoint a treasurer, secretary and such officers, clerks and agents as the business of the company may from time to time require; the first election for directors shall be within sixty days from the passage of this act, of which election public notice shall be given at least one week immediately preceding such election, in at least one newspaper published in the county of Delaware; and subsequent elections shall be held at such time and place as shall be fixed by the by-laws; all elections shall be by ballot, and every share of stock subscribed, upon which the required instalments have been paid, shall entitle the holder to one vote in person or by proxy.
Officers, clerks and agents.	
Elections.	
Object and business.	SECTION 3. The object and business of this company shall be to import, breed, improve and rear general farm stock, horses, horned cattle, sheep, swine, poultry, birds, bees, et cetera, and to farm in as practical a manner as possible; and the company shall have power and authority to lease or purchase such real estate and personal property as they may need to properly carry out the objects of the company.
May purchase property.	
Capital stock.	SECTION 4. That the capital stock of said company shall be divided into shares of one hundred dollars each, and shall consist of two hundred and fifty shares, with power of increasing the same to five hundred shares, and to commence operations when ten per cent. of stock is subscribed and paid.
Payment of subscriptions.	SECTION 5. That subscriptions of stock may be paid in real or personal property, appropriate to the business contemplated by this act, at a <i>bona fide</i> cash valuation to be agreed upon by a majority of the stockholders; and the said company may borrow money and create indebtedness in such manner as the board of directors may determine for the prosecution of the business, and issue the bonds of said company for the same in such manner and for such sums as they may deem proper.
May borrow money and issue bonds.	
Dividends.	SECTION 6. That the dividends may be declared and paid whenever the directors deem it advisable, but said dividends shall in no case exceed the amount of actual profits accrued to the company: <i>Provided</i> , That said corporation shall pay into

the treasury of the commonwealth such bonus and taxes as Bonus and taxes.
are now or may hereafter be required by law.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 237.

An Act

To incorporate the Herald Printing and Publishing Company of the
borough of Carlisle.

SECTION 1. *Be it enacted, &c.,* That Lemuel Todd, John Corporators.
Irvine, R. M. Henderson, W. F. Sadler, Jacob T. Zerg, John
Morrison, Abraham Whitmer, Dr. S. B. Kieffer, Christian R.
Humrich, John T. Green, Jacob Rheem, Charles H. Mullin,
Orison L. Haddock and James M. Weakley, their associates
and successors, are hereby constituted a body politic under
the name, style and title of the Herald Printing and Publishing Title.
Company of the borough of Carlisle, with a capital of twenty- Capital.
five thousand dollars, to be divided into shares of the value
of fifty dollars, with the privilege to increase the same by a
vote of the stockholders at an annual or special meeting, from
time to time, to an amount not exceeding one hundred thou- Privileges.
sand dollars, and with authority to have and use a common
seal, and the same to change at pleasure, and by the style
and title aforesaid shall be capable to sue and be sued; and
the said association may make all needful rules and regula-
tions and by-laws for the management of the business of the
corporation, and on the filing of a duly proved certificate of
the president and directors of the said company, in the office
of the secretary of the commonwealth, may change the name
of the said corporation; the affairs of the company shall be Directors.
managed by a board of five directors who shall choose one of
their number president, and another secretary and treasurer;
the first board of directors shall be elected by a majority of the Elections.
corporators, and said directors shall afterward be annually
elected at meetings of the stockholders held for the purpose,
and at such elections each share of stock shall entitle the
holder thereof to one vote which may be cast either in person Votes.
or by proxy.

SECTION 2. The business of said corporation shall be confined Business.
to printing and publishing in all its branches, and the manage-
ment of such real estate as they may purchase for the use of
said association; and the said association shall have power to
issue bonds for the purchase of real estate which may be ne- May issue bond.
cessary for the carrying on of the business of said corpora-
tion or for the improvement of the same, at a rate of interest
not exceeding seven per cent. per annum, not exceeding in

amount of principal the capital stock of said company, and to secure the same by mortgage on the real and personal property and franchises of the corporation: *Provided*, That said bonds shall not be issued for a less sum than one hundred dollars each, and shall be redeemable within twenty years.

When certificates
may be issued.

Dividends.

Bonus and taxes

SECTION 3. No certificate of stock shall be issued by said association until the full amount of the par value of the same shall be paid in cash or in real or personal estate; and the directors shall declare dividends, annually or semi-annually, as the profits of the corporation shall warrant: *Provided*, That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 238.

An Act

To authorize the overseers of the poor of Davidson, Elkland, Forks and Hillsgrove townships, Sullivan county, to levy a tax on unseated lands in said townships, and to enforce the collection of the same.

Authorized to levy
tax.

SECTION 1. *Be it enacted, &c.*, That the overseers of the poor of the townships of Davidson, Elkland, Forks and Hillsgrove, in the county of Sullivan, from and after the passage of this act, are hereby authorized and empowered to levy a tax upon the unseated lands in said townships, for the support of the poor of said townships, at the same rate per centum which they levy upon other property for the support of the same.

Collection to be en-
forced.

SECTION 2. That whenever poor tax assessed upon unseated lands in said townships of Davidson, Elkland, Forks and Hillsgrove, shall not be voluntarily paid by the owner or owners thereof, the overseers of the poor of said townships shall certify the same to the county commissioners, the same as the supervisors now do the road taxes; and the said commissioners shall enforce the collection in the same manner as other taxes are collected on unseated lands, and when so collected it shall be paid to the overseers of the poor of said townships, on orders drawn on the county treasurer by said overseer of the poor.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 239.

A Supplement

To an act to incorporate the Consolidated Gas Company, approved the nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one, to authorize said company to borrow money at a rate of interest not exceeding eight per centum per annum, and to secure its payment by their bonds secured by mortgage.

SECTION 1. *Be it enacted, &c.*, That the board of directors of the Consolidated Gas Company, of the city of Pittsburg, for the purpose of completing the works of said company, and carrying on its business, be and are hereby authorized and empowered to issue and dispose of the bonds of said company, in sums of not less than fifty dollars each, and to bear interest at the rate of eight per centum per annum, payable semi-annually, to an amount not exceeding that which said company has the right to borrow, and to secure the payment of the same by a mortgage to trustees of all the property, real and personal, and franchises, of said company, now owned or that hereafter may be owned by it, which shall be a lien of said property and franchises so mortgaged.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 240.

An Act

Supplementary to an act to incorporate the Woodruff Sleeping and Parlor Coach Company, approved the nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one, authorizing the issue of guaranteed common and preferred stock and bonds and the sale or disposition thereof by the company, and validating former issues of stock.

SECTION 1. *Be it enacted, &c.*, That the capital stock of the said company, as authorized by said act, or the stock thereof, when increased in the mode and manner prescribed in said act, may be in the whole common, or in part preferred stock, as the board of directors of said company may from time to time determine; and the said company are hereby authorized and empowered to issue said stock, or any portion thereof, in payment of any debts or liability incurred in the purchase of any property, or they may sell or dispose of any or all of

stock, may be whole common, or partly preferred stock.

May issue stock in payment of debts, or sell same.

Former issues validated.

May issue bonds convertible into stock.

such common and preferred stock, on such terms and conditions, and with such guarantees of dividends or payments thereon, as the company may agree upon with any party or parties, company or companies, or in the doing of any other act authorized by the provisions of the act to which this is a supplement; and all issues of stock heretofore made by said company, either as common or preferred stock, are hereby validated.

SECTION 2. That said company are hereby authorized to issue bonds not exceeding in amount, one million dollars, bearing interest not exceeding eight per centum per annum, as they may deem expedient, in furtherance of the objects of said company, which bonds may be secured by mortgage of the whole, or any part of the property and franchises of said company, and may be converted into the common or preferred stock of said company on such terms as may be agreed upon.

APPROVED—The 10th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 241.

An Act

To define the amount and character of certain bonds which may be issued by the city of Titusville to meet its general financial requirements, to authorize an increased amount of bonds for water works, to enable said city to obtain, purchase and hold certain property inside and outside of its corporate limits, and for the repeal of certain other laws or parts of laws relating to said city.

Authority of council to issue bonds.

Aggregate amount of outstanding bonds limited.

SECTION 1. *Be it enacted, &c.,* That the common council of the city of Titusville, is hereby vested with authority to issue, from time to time, the bonds of said city, to meet its general financial requirements, bearing interest at a rate not greater than ten per centum per annum, payable semi-annually, which interest, together with the principal of any such bond or bonds, shall be payable at the place or places designated by the said council; such of these bonds as shall bear more than eight per centum interest per annum, payable as aforesaid, shall be issued on time not longer than five years, and those bearing eight per centum, or a less rate of interest, on time not longer than twenty years: *Provided,* That the aggregate amount of outstanding and unpaid bonds of said city, which may be issued by virtue of the above provision, or which have been issued under section five of an act, entitled "An Act to incorporate the borough of Titusville, Crawford county, into a city," approved February twenty-eighth, one thousand eight hundred and sixty-six, and section one of an act, entitled "A supplement to an act, entitled 'An Act to incorporate the city

of Titusville, in the county of Crawford," approved April fourth, Anno Domini one thousand eight hundred and sixty-eight, and section one of an act, entitled "A supplement to the act to incorporate the borough of Titusville, Crawford county, into a city," approved March second, one thousand eight hundred and seventy, and section one of an act, entitled "An Act to authorize the city of Titusville, Crawford county, to increase its indebtedness, to elect two additional councilmen in each ward, to issue bonds for the erection of water works, and to amend the manner of issuing sewerage and pavement of bonds, et cetera," approved March eighth, one thousand eight hundred and seventy-two, shall at no time exceed two hundred thousand dollars.

SECTION 2. That the two hundred thousand dollars of bonds, which may at any time be outstanding and unpaid, as provided for in section one of this act, shall not be affected by and shall be exclusive of any and all amounts of indebtedness or bonds, which have been or may be allowed by law for water works, school purposes, grading, paving, curbing and sewerage in said city.

To be exclusive of indebtedness for water works, school purposes, &c

SECTION 3. That section second of an act, entitled "An Act to authorize the city of Titusville, Crawford county, to increase its indebtedness, to elect two additional councilmen in each ward, et cetera," approved the eighth day of March, Anno Domini one thousand eight hundred and seventy-two, be amended to read as follows, namely: The said city shall have power to supply itself with water, and for such purpose may purchase and hold real estate, rights of way, and other property, inside and outside its corporate limits; may construct water works, and to meet the obligation arising from such acts, may issue one hundred and fifty thousand dollars of its bonds, seventy-five thousand dollars of said bonds bearing interest at a rate not greater than ten (10) per cent. per annum, payable semi-annually, and seventy-five thousand dollars of said bonds bearing interest at a rate not greater than eight per cent. per annum, payable semi-annually, which interest, together with the principal of any such bond or bonds, shall be payable at such place or places as the said council may designate; such of these bonds as shall bear more than eight (8) per cent. interest per annum, payable as aforesaid, shall be issued on time not longer than five (5) years, and those bearing eight (8) per cent., or a less rate, on time not less than ten nor more than twenty years, and the words "water bond," and words of reference to the act or acts of assembly under which issued, shall be written or printed in the face of each bond. All income arising from said water works shall be applied to the liquidation of these bonds, the interest thereon, and in payment of the expense of running and keeping said works in repair, and for no other purpose or purposes whatsoever.

Section second of act of March 8, 1872, amended.

How income from works to be applied.

SECTION 4. All bonds which may be issued by virtue of any of the provisions of this act, shall be exempted from all taxation except for state purposes. The common council of said city shall each year, including the present year, at the usual time for assessing, levying, and collecting tax in said city as-

Bonds exempt from local taxation.

Council to levy tax to pay interest on bonds.

sess, levy and collect an amount additional to the taxation for every other purpose therein, sufficient to pay the interest due, or to fall due on all its bonds for the ensuing year, and the funds so arising shall be appropriated to this and no other purpose whatsoever.

How rights of way
to be obtained,
damages assessed,
&c

SECTION 5. All rights of way necessary for the convenient construction and use of said water works, provided for in this act, shall be obtained, damages assessed, payment therefor made, and other necessary proceedings had in the manner provided by act of assembly, approved April thirteenth, one thousand eight hundred and sixty-nine, for the laying out, opening and widening of any street, lane or alley in said city.

Not to affect exist-
ing obligations.
Repeal.

SECTION 6. That this act shall not affect the existing obligations of said city. All laws and parts of laws contrary to or inconsistent with the provisions of this act, be and the same are hereby repealed.

APPROVED—The 10th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 242.

An Act

Conferring additional privileges on the Johnstown Savings Bank.

Payment of depos-
its, &c., to minors
and married wo-
men.

SECTION 1. *Be it enacted, &c.*, That the Johnstown Savings Bank is hereby authorized to receive deposits from minors and married women, and shall have power to pay on application, the check, proper receipt or order of any minor or married woman, such money or any part thereof, as he or she may have deposited to his or her credit, or any interest or dividend accruing thereon, without the assent or approval of the parent or guardian of such minor, or the husband or creditors of the husband of such married woman, to attach or in any manner interfere with any deposit, interest or dividend due thereon to such minor or married woman.

Repeal.

SECTION 2. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 10th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 243.

An Act

To authorize the Cresson Springs Company to issue preferred stock.

SECTION 1. *Be it enacted, &c.*, That the Cresson Springs Company, for the purpose of enlarging the hotel accommodations, providing additional furniture and for the general improvement of the property of the company, be and they are hereby authorized to make and issue preferred stock of the par value of twenty-five dollars for each share thereof, to an amount not exceeding two hundred and fifty thousand dollars, in such form and with such conditions as to dividends as the board of directors shall approve: *Provided however*, That no such preferred stock shall be issued without the consent and approval of a majority in value of the present stockholders.

APPROVED—The 10th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 244.

A Supplement

To an act, entitled "An Act to incorporate the Wilkes Barre Savings Bank," approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy, authorizing the stockholders to increase the capital stock of the same.

SECTION 1. *Be it enacted, &c.*, That the directors of the said corporation may increase the capital stock thereof, as they from time to time shall elect, to any amount not exceeding five hundred thousand dollars: *Provided*, That the stockholders at the time or times of such increase, shall each be entitled to the same pro rata shares and privileges, and subject to the same forfeitures and penalties as provided for in the original act to which this is a supplement.

APPROVED—The 10th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 245.

An Act

To provide for the payment of the claim of James D. Whetham, for military damages.

WHEREAS, The claim of James D. Whetham, for military damages to property, was regularly ascertained in the proper court, under the provisions of the act of sixteenth April, Anno Domini one thousand eight hundred and sixty-two, providing for the legal ascertainment of such damages, amounting to one thousand nineteen dollars and forty seven cents, and has never been paid; therefore,

SECTION 1. *Be it enacted, &c.*, That the auditor general be instructed to draw his warrant on the state treasurer in favor of James D. Whetham, for the said sum of one thousand and nineteen dollars and forty-seven cents, to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 246.

An Act

Supplemental to an act approved the twenty-eighth day of April one thousand eight hundred and forty, entitled "An Act to incorporate the Crawford County Mutual Insurance Company."

SECTION 1. *Be it enacted, &c.*, That the Crawford County Mutual Insurance Company, in addition to its present power to make assessments, be and it is hereby authorized to make an annual assessment, not to exceed ten per cent. on its premium notes, in anticipation of losses which may occur during the year, and to apply the amount thus raised to the payment of such losses, and those which may have already occurred, so far as it may extend.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 247.

An Act

To authorize the school directors of the borough of Shippensburg, in the county of Cumberland, to borrow money not exceeding fifteen thousand dollars and to issue bonds therefor.

SECTION 1. *Be it enacted, &c.,* That the school directors of the borough of Shippensburg, in the county of Cumberland, be and are hereby authorized to borrow any amount of money not exceeding fifteen thousand dollars, payable at any time not exceeding ten years from the passage of this act, and to issue bonds therefor at a rate of interest not exceeding seven per centum per annum, signed by the president and attested by the secretary of said board of directors, for the purpose of erecting a suitable building for school purposes, and said bonds so issued as aforesaid shall be exempt from taxation except for state purposes.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 248.

A Supplement

To an act, entitled "An Act for the appointing of path-masters in certain parts of Luzerne county," approved the twelfth day of March, Anno Domini eighteen hundred and sixty-eight, providing for the appointment of certain auditors.

SECTION 1. *Be it enacted, &c.,* That the power of the court of quarter sessions of the county of Luzerne, to appoint three persons to audit the accounts of the path-master of Hazle township, as provided by the third section of the act to which this is a supplement, is hereby extended to and until the first day of May, Anno Domini eighteen hundred and seventy-three, and it is hereby made the duty of the said court to appoint as soon as possible after the passage of this act, three persons to audit the accounts of the present path-master of said township, who shall perform their duties within sixty days after their said appointment, after giving the notice required by the third section of the act to which this is a supplement.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 249.

An Act

To admit the children of Elias Prosser to the benefits of the laws of the state of Pennsylvania relative to soldiers' orphans.

WHEREAS, Elias Prosser was a resident of Pennsylvania for many years, and married his wife in said state, and resided therein from one thousand eight hundred and forty-five until about the month of October, one thousand eight hundred and sixty-three, when he removed to the state of Ohio, where, after residing about two months, he enlisted on the tenth day of December, one thousand eight hundred and sixty-three, into the service of the United States, in company A, Ninety-eighth regiment Ohio volunteers, and died from chronic diarrhœa, contracted while in the said service, on or about the sixteenth day of May, one thousand eight hundred and sixty-four :

And whereas, Immediately after his enlistment, his wife and family returned to the state Pennsylvania, where they have resided ever since :

And whereas, All of the children of said Elias Prosser were born in the state of Pennsylvania :

And whereas, The widow of said Elias Prosser is poor and unable to educate her children :

And whereas, They are debarred by reason of the enlistment of their father in another state, from the benefit of the act relative to soldiers' orphans ; therefore,

SECTION 1. *Be it enacted, &c.*, That the children of said Elias Prosser, deceased, be and they are hereby entitled to all the privileges of the laws of the state of Pennsylvania relative to the maintenance and education of the soldiers' orphans of said state.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 250.

An Act

To change the venue in certain cases from Beaver to Allegheny county.

SECTION 1. *Be it enacted, &c.*, That certain indictments now pending in the court of quarter sessions of the county of Beaver against William Sims, yeoman, and Thomas Proud-

lock, yeoman, for misdemeanor, being numbers nine and thirteen of November term, Anno Domini one thousand eight hundred and seventy-two, of said court, be and the same are hereby removed to the court of quarter sessions of Allegheny county, for trial, by a jury or juries, at the June term or any subsequent term of said court, together with the record of said cause, and all the papers relating thereto; and that the said court is hereby authorized to proceed to trial, verdict and sentence in the same manner and with the same force and effect as the said court of quarter session of Beaver county might or could do: *Provided*, The said court of quarter sessions of Beaver county in term time, or any judge thereof during vacation, may and they are hereby authorized and required to cause recognizances to be entered into and given by said defendants of the same amount as those in which they are now held, requiring them to appear and answer in the said indictment at the June term of said court of quarter sessions of the county of Allegheny, next ensuing; and also to require and take all other such recognizances as if the prosecutor or prosecutors, witnesses or others in the said case, as may be legal and necessary to the proper prosecution and trial of said defendants in the county of Allegheny: *And provided further*, That the district attorney of said county of Allegheny shall take charge of said cases, and control and prosecute the same as if said indictments had been found by the grand jury of Allegheny county: *And provided further*, That said county of Allegheny shall not be subjected to any cost or expenses of or by reason of the transfer and removal of the aforesaid indictments.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 251.

An Act

To incorporate the Forbes Street Passenger Railway Company.

SECTION 1. *Be it enacted, &c.*, That Thomas M. Bayne, J. Corporators. M'C. Creighton, Joseph M'Cabe, James A. Chambers, Jacob H. Walters, H. H. M'Cormick, James A. M'Devitt, Daniel O. Barr, George Booth, Thomas H. Hunter, John Fleming, James Irvin, F. M. Magee, W. M. Decamp, John A. Elder, Levi B. Richards, or a majority of them, and such others as may become associated with them, their successors and assigns, are hereby constituted a body corporate and politic, by the name, style and title of the Forbes Street Passenger Railway Title. Company, and as such company shall have power to construct Construction of railway authorized a railway, commencing at the corner of Market street and

May connect with
and cross other
roads.

Capital stock.

May borrow money
and issue bonds.

Directors and
other officers.

Votes.

May carry freight
and passengers.

By-laws, ordi-
nances, &c.

Individual lia-
bility.

Bonus and taxes.

Fourth avenue, in the city of Pittsburg, and by the way of Fourth avenue, Grant and Diamond streets to Old avenue, and thence by the most practicable route to Forbes street, and thence by Forbes street to the city line, with the power to construct such turnouts and switches as may be necessary, and with the right to connect with, or cross or run over and along, at grade, the tracks of any existing railway company upon compensation to be determined by proceedings instituted by any party interested in the courts of common pleas of Allegheny county, in the same manner as damages to private property are now ascertained and awarded under the general railroad laws of this commonwealth: *Provided*, The parties cannot agree amicably upon an amount between themselves.

SECTION 2. The capital stock of said company shall consist of five hundred shares, of fifty dollars each, with power to increase the said capital stock by a vote of the stockholders, convened for that purpose, or a majority of them, to an amount not exceeding five hundred thousand dollars; and the said company may borrow money to an amount not exceeding one-half their capital stock, and may issue therefor their bonds, with interest not exceeding eight per centum per annum, and for securing the payment of said bonds with the interest, may execute a mortgage or mortgages of and upon their road and property, including the corporate rights and franchises granted by this act, and may annex to such bond the privilege of converting the same into the capital stock of the company at par at the option of holders: *Provided*, That the said company shall not issue certificates of loan of a less denomination than one hundred dollars.

SECTION 3. The said company shall elect a board of thirteen directors, who shall choose a president and such other officers as they may deem necessary; and in all elections for directors, as for all other purposes, each stockholder shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given.

SECTION 4. That said company shall have power to carry freight and passengers over their said roads, and establish such a reasonable tariff of charges as they may in their by-laws provide. They shall have power to establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, and to amend the same from time to time, and to have a common seal with power to alter the same at pleasure.

SECTION 5. That the stockholders shall be individually liable to double the amount of stock held by them severally, and the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 252.

An Act

To authorize the Tanite Company to borrow money, and for other purposes.

WHEREAS, The Tanite Company, created by letters patent, November sixth, one thousand eight hundred and sixty-eight, and located at the county of Monroe, for want of sufficient means to carry on its legitimate business, have incurred debts, for the payment of which, as also for further working capital, it is necessary to borrow money : Preamble.

And whereas, Pursuant to the agreement of all parties interested, and intended to be recorded at the county aforesaid, application has been made for a supplemental act, conferring additional powers for the uses and purposes above mentioned ; therefore,

SECTION 1. *Be it enacted, &c.*, That the Tanite Company be and are hereby authorized to create a loan, not exceeding two hundred thousand dollars, on five per centum interest bearing bonds of the corporation, with or without coupons, to be secured by mortgage, in the name of the trustees, covering their corporate franchise and real estate, payable in twenty years, with said interest semi-annually thereon, at the office of the company, and recorded at the county aforesaid. Authorized to create loan secured by mortgage.

SECTION 2. That said mortgage shall be executed and delivered to two trustees, (stockholders,) appointed by a vote of the majority in interest, with condition that if default be suffered in payment of interest on said bonds for one year after interest due, said trustees, on notice in writing by any bondholder, setting forth such default, with satisfactory proof made, shall forthwith collect said mortgage by sale of the property and franchise bound thereby, for the benefit of all the bondholders *pro rata*. How mortgage to be executed.

SECTION 3. That said bonds shall be convertible into capital stock at par, at any time after five years, at the option of the holder, after thirty days' notice in writing, given to said company therefor, and that said bonds may be convertible into stock, at par, as aforesaid, at any time after issue, by consent of all the stockholders ; and that all bonds, when issued, shall be registered on the books of the corporation in the name of the holder thereof. Bonds to be convertible into stock.

SECTION 4. That no holder of said bonds shall have power to sell or transfer the same, except as provided hereby, but the company shall have the refusal first of purchasing from the holder desiring to sell, and in case the price cannot be agreed upon then it shall be fixed by appraisers chosen as follows : One appraiser chosen by the bondholder and directors each, respectively, and if the two so chosen cannot agree, an umpire to be selected by them ; and the valuation made by a majority of such appraisers so chosen, shall be Company to have refusal of purchasing bonds from holders.

In cases of disagreement, price to be fixed by appraisers.

final, and the company, at its option, may take and hold the bond or bonds so appraised, on payment of the valuation so made, but in case said directors then refuse to purchase the holder may sell and transfer such bond to any purchaser thereof.

Notice of application for appraisal to be given.

In case of refusal to take bond, holder entitled to certificate.

Loan to be first offered to stockholders.

SECTION 5. That the holder shall give notice in writing, five days' prior to such appraisement, demanding the same, which shall be had at the office of the company, on the time designated in said notice; and if said company refuse to take said bond after appraisement made as aforesaid, such bondholder on demand shall be entitled to receive a certificate of such refusal from the president and secretary, of all which proceedings a record shall be made on the minutes of the corporation.

SECTION 6. That the loan authorized hereby, shall be first offered by the company to the stockholders, in proportion pro rata to the stock standing in their names, at a price determined by the majority of such stockholders, and if any decline taking their respective proportion the same shall be then offered and distributed to all the other stockholders in like proportion to their interests respectively; and should any of said loan still further remain untaken, the directors may sell such residue to purchasers, whether stockholders or not, at a price however not less than that determined upon by a majority of the stockholders as aforesaid: *Provided*, That in no other contingency shall bonds be sold to any outside of the company and not stockholders, unless such sale be first agreed to by vote of the stockholders holding four-fifths interest at least, of all which proceedings as aforesaid, a full and accurate record shall be kept and the same shall be evidence for all parties concerned.

Directors authorized to do all things necessary to carry out act.

Proviso.

Proviso

SECTION 7. That the board of directors of said company shall be and are hereby authorized to do and perform in detail, all matters and things necessary to carry out the provisions of this act, according to its true intent and meaning as agreed upon by the stockholders of said company, and that the acts and doings of the said board in the premises, shall be binding upon the corporation and upon all parties interested therein: *Provided*, The loan authorized by this act on mortgage bonds of the corporation limited as aforesaid, and the capital of said company when increased by the conversion of the same into stock, shall not exceed the sum of four hundred thousand dollars in the aggregate: *Provided also*, That any bonds and mortgages issued pursuant to this act shall contain in form or substance the provisions of sections four, five and six of this supplement.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 253.

An Act

To authorize the Pennsylvania Railroad Company to occupy certain portions of Delaware avenue, in the city of Philadelphia, for railroad purposes, and make connections therewith, and to acquire property near or convenient to the said avenue for depot and other railroad purposes.

WHEREAS, For the purpose of increasing the business Preamble. facilities and commercial advantages of the city of Philadelphia, the said city has, by ordinances, authorized the widening of a portion of Delaware avenue to the width of eighty feet, and has, by a resolution of its councils, authorized the Pennsylvania Railroad Company to occupy the easternmost thirty feet thereof as re-located and widened for railroad purposes ; now therefore,

SECTION 1. *Be it enacted, &c.,* That the Pennsylvania Railroad Company be and is hereby authorized to construct a Authorized to construct track upon portions of avenue. double track railroad upon the easternmost thirty feet of Delaware avenue in said city, as re-located between Queen and Washington streets, and as widened between the north side of Dock street and said Christian street, with such connections with its Delaware river extension and turnouts as may be necessary.

SECTION 2. And the said company is hereby further authorized to purchase, take and hold in fee simple, such ground and property near or convenient to the said avenue or streets, as the said company may deem necessary for depot and other railroad purposes : *Provided however,* That if the said company cannot agree with the owner or owners of such land or property so to be taken as to the value thereof, or for the damage done or likely to be done to or sustained by any such owner or owners of such property, which said company may enter upon and take in pursuance of the authority hereby given, or when by reason of the absence or legal incapacity of any such owner or owners, no compensation can be agreed upon, the court of common pleas of said city and county, on application thereto, by petition either by said company or owner or owners, or any one in behalf of either, shall appoint five disinterested and competent persons as viewers, residents of the said city, to assess damages, and to fix a time not less than twenty nor more than thirty days' thereafter, for said viewers to meet upon the premises where the damages are alleged to be sustained, of the time and place of which meeting ten days' notice shall be given by the party petitioning to the said viewers and to the other party ; and the said viewers having been first sworn or affirmed by some person competent to administer oaths or affirmations, faithfully, justly and impartially to decide, and true report make concerning all the matters and things to be submitted to them, May acquire property near to avenue. Proceedings in cases of disagreement with owners. &c.

and in relation to which they are authorized to inquire in pursuance of the provisions hereof, and having viewed the premises they shall estimate and determine the quantity, quality and value of said land or property so taken or occupied, and having a due regard to and making a just allowance for the advantages which may have resulted, or which may seem likely to result to the owner or owners of said land or property in consequence of the taking thereof, and after having made a fair and just comparison of such advantages or disadvantages, they shall estimate and determine whether any, and if any what amount of damages have been sustained, and to whom payable, and that the estate thereby acquired by the said company, shall be an estate in fee simple, and make report to the court; and if any damages be awarded and the report be confirmed by said court, judgment shall be entered thereon, and if the amount thereof be not paid execution may issue thereon as in other cases of debt for the sum so awarded, and the costs incurred shall be defrayed by the said railroad company; and each of the said viewers shall be entitled to three dollars per day for the time necessarily employed in performing the duties hereinbefore prescribed: *Provided however*, That when said company is unable to or cannot agree with the owner or owners of the said land or property, then the said company may enter upon and take possession of the same, on giving to said owner or owners adequate security by bond for the value thereof, as the same may be determined by the said viewers, and if such owner or owners shall refuse to receive such bond when tendered by the said company, then the same shall be presented to the court of common pleas of said city, and if approved by the said court, shall be filed in the office of the prothonotary thereof for the benefit and use of such owner or owners.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 254.

A Further Supplement

To an act, entitled "A supplement to the act consolidating the city of Philadelphia," approved the twenty-first day of April, one thousand eight hundred and fifty-five, to exempt certain properties on south side of Willing's alley, between Third and Fourth streets, in said city, from the operation of the sixth section of the said act.

SECTION 1. *Be it enacted, &c.*, That the provisions of the sixth section of the said act shall not apply to any building or buildings, situate on the south side of Willing's alley, be-

Sixth section not applicable to certain buildings.

tween Third and Fourth streets, in the said city of Philadelphia.

SECTION 2. In all cases where any building or buildings upon the south side of the said Willing's alley, between Third and Fourth streets, in the said city of Philadelphia, has or have heretofore been erected without having receded as in the said sixth section is provided, such building or buildings shall be taken and deemed to be properly located, as fully and to all intents and purposes as if the said act had not been passed.

Buildings heretofore erected, deemed to be properly located.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 255.

An Act

Changing the time of holding elections in the borough of Tarentum, county of Allegheny.

SECTION 1. *Be it enacted, &c.*, That the time of holding the election of borough officers of the borough of Tarentum, county of Allegheny, heretofore held annually on the first Friday of May, be and the same is hereby changed to the third Friday in March, of each and every year thereafter.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 256.

An Act

Relating to the sinking fund of Allegheny county.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, all railroad bonds, stocks or other securities, together with the interest or dividends thereon, that have or may hereafter come into possession of the county of Allegheny, by reason of settlement, by suit or otherwise, of claims held by the said county against certain railroad companies, arising from the subscription by said county to the capital stock of said companies, be and the same as received from time to time, are and shall be vested in the board of commis-

sioners of the sinking fund of Allegheny county, to be disposed of by said board as they may deem most proper, for the purpose of liquidating the railroad indebtedness of said county.

SECTION 2. All acts or parts of acts not in accordance with this act be and they are hereby repealed as far as they may relate to the same.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 257.

An Act

Establishing the location of the streets and alleys in the borough of Millville, in the county of Cambria, and to locate the boundaries of the same.

Preamble.

WHEREAS, The original plot of the boundaries, and streets and alleys, in the borough of Millville, in the county of Cambria, has been lost, and the burgess and town council have ordered and directed that a true and correct map or plot of the said borough be made by William Slick, Jr.

And whereas, The said William Slick, Jr., has made an exact survey of the said boundaries, streets and alleys, and executed a map or plot of the same, which has been approved and adopted by the said burgess and town council; therefore,

Location of streets and alleys, established

SECTION 1. *Be it enacted, &c.*, That the true location of the streets and alleys in the borough of Millville, in Cambria county, shall be taken and deemed to be according to the map or plot made of the same by William Slick, Jr., in pursuance of the orders and directions of the burgess and town council of the said borough.

Borough plot to be certified, and certificate to be evidence of same.

SECTION 2. That the map or plot of said borough, made by the said William Slick, Jr., shall be certified to by him as being the same which he made in pursuance of the orders of the burgess and town council of said borough, which certificate shall be sufficient evidence of said map in any court of this commonwealth, and for any purpose for which the same may be needed; and the said map or plot shall be carefully filed and preserved in the office of the burgess and town council of said borough.

To be filed.

Boundaries of borough defined.

SECTION 3. That from and after the passage of this act the boundaries of the said borough of Millville shall be in accordance with said map as follows: Beginning at the abutment of the aqueduct, on the Little Conemaugh river; thence along said stream north eighty-seven and one-half degrees east thirty-one perches to a post; thence north eighteen and one-half degrees east one hundred and thirty-five and one-half perches to a red oak; thence north ten degrees west

one thirty-two perches to a post; thence north six degrees west one hundred and twenty-one perches to a post; thence south seventy-one and one-half degrees west one hundred and eighteen perches to a locust; thence west sixty-four perches to a post; thence south twenty-one degrees west thirty perches to the Conemaugh river; thence up the said river south fifty-nine degrees east twenty-four perches; thence south sixty-six degrees east twenty-eight perches; thence south fifty-two degrees east thirty-seven perches, near the mouth of Hingston's run; thence south five degrees east eighty-three perches; thence south four degrees west thirty perches, to Cambria Iron Company's bridge; thence south ten and one-half degrees west eighty-six perches; thence south ten perches; thence up the Little Conemaugh south forty-five degrees east fourteen perches; thence south ten degrees east thirty perches; thence south forty degrees east twenty-four perches; thence south eighty-three degrees east thirty-three perches; thence east eighteen perches to the aqueduct abutment the place of beginning: *Provided*, That nothing herein contained shall be deemed or construed to affect in any way whatever the questions involved in certain equity suits, now pending in the court of common pleas of Cambria county, to September term, eighteen hundred and sixty-seven, wherein the borough of Johnstown is plaintiff, and certain property holders of Millville borough are defendants; nor shall the provisions of this act be deemed or construed to have authorized or to authorize the municipal authorities of Millville borough, or the citizens or residents thereof, to fill up, obstruct or encroach upon the Conemaugh river or the banks thereof, in any manner whatsoever.

Not to affect certain suits.

Not to authorize obstruction of Conemaugh river.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 258.

An Act

Authorizing the school directors of the township of Eldred, in Warren county, to levy additional school tax.

SECTION 1. *Be it enacted, &c.*, That the school directors of Eldred township, in the county of Warren, be and they are hereby authorized to annually levy and collect, for school purposes, a tax in said township not exceeding twenty-five mills of the assessed valuation of property subject to school tax in said township.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 259.

An Act

Relating to roads and bridges and road and bridge viewers, in the county of Cambria.

Certain act extended to.

Number of viewers.

Whole number to view, and majority to report.

Compensation.

Repeal.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act to change the manner of assessing damages sustained by the owners of land in the opening of public roads in the counties of Washington, Mercer and Fayette," approved the sixth day of April, Anno Domini one thousand eight hundred and forty-three, be and the same is hereby extended to the county of Cambria; and hereafter the number of road and bridge viewers to be appointed by the court of quarter sessions of the said county of Cambria, shall, in all cases, be three (3) instead of six (6) as is now provided by law, one of the three to be a surveyor; and no view or review of any road or bridge in said county shall be valid unless the whole number of such viewers or reviewers shall personally examine the premises, nor unless a majority thereof shall concur in the report; and the pay of such viewers or reviewers shall be one dollar and fifty cents (\$1.50) per day for the time actually employed under the appointment of the court aforesaid.

SECTION 2. That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 260.

An Act

To authorize St. Matthew's Evangelical Lutheran church, of the city of Philadelphia, to sell certain real estate.

WHEREAS, The St. Matthew's Evangelical Lutheran church of the city of Philadelphia, received under the title of the Evangelical Lutheran congregation of St. Matthew's, in the city and vicinity of Philadelphia, certain real estate, situated upon the east side of Tenth street, above Cherry street, in the said city, by devise in the last will and testament of Mary Hahn, late of said city, deceased, dated the twenty-eighth

day of November, Anno Domini one thousand eight hundred and sixty, (1860,) and duly proved in the office of the register of wills in and for the city and county of Philadelphia, upon the twenty-first day of January, Anno Domini one thousand eight hundred and sixty-five, reference to will book number fifty-four, page three hundred and seventy-three, being had, will fully and at large appear:

And whereas, The said premises therein described are now dilapidated and inconvenient, and it is to the interest of the said church that the same should be sold and conveyed, and the proceeds thereof be reinvested; therefore,

SECTION 1. *Be it enacted, &c.*, That the board of trustees of St. Matthew's Evangelical Lutheran church of the city of Philadelphia aforesaid, are hereby authorized and empowered to sell either at public or private sale, as they shall deem expedient, the real estate of the said corporation, situated on the east side of Tenth street, between Race and Cherry streets, in the said city, and numbered numbers one hundred and forty-one and one hundred and forty-three, containing in front or breadth, north and south, thirty-three feet eight inches, and in length or depth, east and west, thirty-three feet, be the same more or less, with the appurtenances; also all that certain lot or piece of ground being in the rear of the last described premises, with the improvements thereon erected, situated at the distance of seventy-five feet four inches northward from the north side of Cherry street and at the distance of thirty-three feet eastward from the east side of Tenth street in the said city, containing in breadth, east and west, thirteen feet, and in length or depth, north and south, thirty-three feet eight inches, be the same more or less, with the appurtenances, or any part or parts thereof; and to convey to the purchaser or purchasers a good and sufficient title in fee simple to the said premises, or to any part or parts thereof, without any liability on the part of the purchaser or purchasers, to see to the application of the purchase money, and to appropriate the proceeds arising from the sale thereof as the said board of trustees may determine.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 261.

An Act

For the relief of Peter C. Ellmaker.

SECTION 1. *Be it enacted, &c.*, That Peter C. Ellmaker, of the city of Philadelphia, be and is hereby exempted from payment to the state, of the sum of five hundred and seventy-four

dollars and eight cents, created out of an account settled against him in the auditor general's department, on a settlement of his notary public account in April, one thousand eight hundred and fifty-eight, on which said settlement judgment was obtained while the said Ellmaker was serving his country in the field.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 262.

An Act

To revive and extend the provisions of an act, entitled "An Act to provide for the re-examination and re-settlement of the accounts of certain public officers of the county of York, from and after the first day of January, in the year of our Lord one thousand eight hundred and sixty," until the thirty-first day of December, Anno Domini one thousand eight hundred and seventy.

WHEREAS, The auditors appointed by the said act have been greatly impeded and hindered in the discharge of their duties by the surreptitious removal and destruction of the books, papers and vouchers relating to the accounts of said officers, and have been thereby compelled to institute other methods of investigation which have prevented them from completing their work:

And whereas, It is important to the interests of the people of the county of York that the investigations which have been commenced, and have been so far conducted as to show great errors in the transaction of the business of said county, and great losses sustained by the people thereof in consequence of the negligent and unfaithful conduct of certain public officers; therefore,

SECTION 1. *Be it enacted, &c.*, That the auditors named in and appointed by the act of the general assembly of Pennsylvania, approved the sixth day of March, Anno Domini one thousand eight hundred and seventy-two, entitled "An Act to provide for the re-examination and re-settlement of the accounts of certain public officers of the county of York, from and after the first day of January, in the year of our Lord one thousand eight hundred and sixty," be and they are hereby authorized and empowered to resume the re-examination and re-settlement of the accounts of the several public officers in said act mentioned and described, and to continue the same during a period of forty working days, and that all the provisions, powers, authorities and directions of the said act and the supplement thereto, approved the third day of April, Anno Domini one thousand eight hundred and seventy-

two, (except as to the limitation of time therein fixed for the termination of the work of said auditors,) be and the same are hereby revived, re-enacted and extended until the said auditors shall have re-examined and re-settled the accounts of the public officers of said county of York as aforesaid: *Provided*, That so much of the said supplement as provides for the appointment of a clerk to said auditors be and the same is hereby repealed, and that the said board of auditors shall file their final report on or before the fourth Monday of August, Anno Domini one thousand eight hundred and seventy-three.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 263.

A Further Supplement

To an act establishing an academy in the town of Wellsboro', in the county of Tioga, approved March twenty-fifth, one thousand eight hundred and seventeen, continuing former trustees in office till their successors shall be elected.

WHEREAS, The stockholders of the Wellsboro' academy, have neglected to meet annually for the election of trustees as required by the charter of said institution, the board last elected continuing to act as trustees notwithstanding the expiration of their term of office; therefore,

SECTION 1. *Be it enacted, &c.*, That the trustees last elected by the stockholders of said academy, namely: Henry W. Williams, John R. Bowen, John L. Robinson, William Bache and Josiah Emery, be and they are hereby authorized and empowered to act as trustees of said academy, until their successors shall be duly elected in accordance with the provisions of the several acts of assembly to which this is a supplement, and they are hereby empowered to do all such acts and things pertaining to the said institution, its property, its corporate rights and duties, as they might or could have done, had they been re-elected in accordance with the provisions of the several acts to which this is a supplement.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 264.

An Act

To authorize the school board of Lower Augusta township, in the county of Northumberland, to pay a bounty debt out of the school funds of said township.

SECTION 1. *Be it enacted, &c.*, That the school directors of Lower Augusta township, in the county of Northumberland, be and they are hereby empowered and directed to pay out of the school fund of said township, the amount of bounty debt now due by said township.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 265.

An Act

In relation to the fees of jurors and witnesses in the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the compensation of jurors in attendance upon the several courts of the city of Philadelphia, shall be two dollars and fifty cents (\$2.50) per diem and the usual mileage; and the compensation of witnesses while in attendance upon the several courts of said city, shall be one dollar and fifty cents per diem and the usual mileage.

APPROVED—The 11th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 266.

An Act

Relative to the commissioners of Warren county.

Compensation of
commissioners.

SECTION 1. That the commissioners of Warren county shall have for their services the sum of three dollars per day for

each day that they may be officially engaged, and mileage at the rate of eight cents per mile, for each and every mile they may necessarily travel in discharge of their duties as county commissioners.

SECTION 2. That all acts inconsistent herewith are hereby Repealed.
repealed.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 267.

An Act

To authorize the overseers of the poor of Monroe township, in the county of Wyoming, and the township of Beccaria, in the county of Clearfield, to levy tax on unseated lands for poor purposes, and enforce the collection of the same.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act the overseers of the poor of Monroe township, in the county of Wyoming, and the township of Beccaria, in the county of Clearfield, shall be and they are hereby authorized and empowered to levy the same rate of tax on the unseated lands for poor purposes, as they are now authorized by law to levy on other lands in said township. Authorized to levy tax on unseated lands.

SECTION 2. That whenever poor tax assessed upon unseated lands, in said township of Monroe, shall not be voluntarily paid by the owner or owners thereof, the overseers of the poor of said township shall certify the same to the county commissioners, the same as the supervisors now do the road taxes, and the said commissioners shall enforce the collection in the same manner as other taxes are collected on unseated lands, and when collected, it shall be paid to the overseers of the poor of said township, on orders drawn on the county treasurer by said overseers of the poor. Collection to be enforced.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 268.

An Act

Authorizing the assessment, levying and collection of additional taxes in the borough of Millvale, in the county of Allegheny.

SECTION 1. *Be it enacted, &c.*, That the burgess and councils of the borough of Millvale, in the county of Allegheny, be Authorized to levy additional tax.

and they are hereby authorized and empowered to levy and assess, and apportion, appropriate and collect, annually, for borough purposes, a tax, not exceeding ten mills on the dollar on the valuation assessed for county purposes, as now is or may be provided by law, on all property, offices, trades, professions and persons, made liable by the laws of this commonwealth for county rates and levies, and shall be taxable after the same manner, by the said burgess and town council, for borough purposes.

Repeal.

SECTION 2. All laws and parts of laws inconsistent herewith be and the same are hereby repealed.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 269.

An Act

To vacate a part of Rowe street, in the borough of Tamaqua.

SECTION 1. *Be it enacted, &c.*, That that part of Rowe street between the east side of Berwick street and the main line of the railroad of the Little Schuylkill Navigation Railroad and Coal Company, in the borough of Tamaqua, be and the same is hereby vacated.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 270.

An Act

To extend the provisions of the first section of an act relating to the fees of the district attorney, in the county of Northampton, approved the third day of March, Anno Domini one thousand eight hundred and seventy-one, to the county of Fayette.

SECTION 1. *Be it enacted, &c.*, That the several provisions of the first section of the act, entitled "An Act relative to the fees of the district attorney, in the county of Northampton," approved the third day of March, Anno Domini one thousand eight hundred and seventy-one, be and the same are hereby extended to the county of Fayette.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 271.

An Act

To vacate a part of Washington street, in the borough of Tamaqua.

SECTION 1. *Be it enacted, &c.*, That that part of Washington street, between a point fifty feet south of the south side of Lafayette street, and the north side of Rowe street and the east side of Berwick street, in the borough of Tamaqua, be and the same is hereby vacated.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 272.

An Act

To authorize the burgess and town council of the borough of Livermore, Westmoreland county, to levy an additional tax for borough purposes.

SECTION 1. *Be it enacted, &c.*, That the burgess and town council of the borough of Livermore, Westmoreland county, be and are hereby authorized to levy and collect a tax, not exceeding one per cent., for borough purposes, on the assessed valuation of property in said borough liable by existing laws to such tax, until the existing indebtedness of said borough is liquidated and paid.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 273.

An Act

To authorize the members of the board of public education of the First school district of Pennsylvania, to sell certain real estate.

SECTION 1. *Be it enacted, &c.*, That the members of the board of public education of the First school district of Pennsylvania, are hereby authorized and empowered to sell, either at public or private sale, for the best interest to the city, for

Authorized to sell
real estate.

a sum not less than forty thousand dollars, the lot of ground upon which the New street school house is erected upon New street, between Front and Second streets, in the city of Philadelphia, with its appurtenances, situate on the south side of the aforesaid New street, in the Sixth ward in the city of Philadelphia, containing a front on New street one hundred and twenty feet, and extending in length or depth, south from New street, one hundred and forty feet right angles with the aforesaid New street; and the said board of public education are hereby directed, with the proceeds of said sale, to build or cause to build, forthwith after said sale, within the Sixth ward of the city of Philadelphia, a school building of like manner as is now used and employed in aforesaid New street school house.

To erect school building with proceeds.

Proceeds not to merge in sinking fund.

SECTION 2. That the proceeds of sale of said lot of ground, now occupied by the said New street school house, shall be appropriated as heretofore directed, and the same shall not merge or become invested in the sinking fund of the said city of Philadelphia, as is now directed by law, when the sale of real estate of said city, as proposed by the act of the second of February, one thousand eight hundred and fifty-four, entitled "An Act to consolidate the city of Philadelphia," and the several supplements thereto.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 274.

A Further Supplement

To an act to extend the limits of the borough of Indiana, approved May twenty-second, one thousand eight hundred and sixty-seven, changing the limits as fixed in the supplement to said act, approved May first, Anno Domini one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted, &c.*, That so much of an act, entitled "A supplement to an act to extend the limits of the borough of Indiana," approved May twenty-second, Anno Domini one thousand eight hundred and sixty-seven, as provides that "the west line of the borough of Indiana shall begin fifty feet west of the property of Solomon Earhart, instead of four feet, and run thence by the station house and depot grounds of the Indiana Branch of the Pennsylvania Central Railroad, and property of J. P. Carter and others, north two and three-quarter degrees east in a straight line, until it strikes the northern line of the borough of Indiana; and the western line of the borough of Indiana north of Philadelphia street shall hereafter be as above recited; and

the county commissioners shall have the same power as given in the act to which this is a supplement, to make the western line of the borough of Indiana conform to the above description," be altered and amended, as follows: That the west line of the borough of Indiana, north of Philadelphia street, shall begin fifty feet west of the property of Solomon Earhart, and run thence by the station-house and depot grounds of the Indiana Branch of the Pennsylvania Railroad and property of Fiscus Brothers and others, north two and three-quarters degrees east to the southern line of Oak street; thence by the line of the said borough as it was located and existed prior to the passage of the act, entitled "An Act to extend the limits of the borough of Indiana, Indiana county," approved May twenty-second, Anno Domini one thousand eight hundred and sixty-seven, and the supplement thereto, approved May first, one thousand eight hundred and sixty-eight, to the northern line of the said borough; and hereafter the western line of the borough of Indiana, north of the southern line of Oak street, shall be as the same existed prior to the passage of the act approved May twenty-second, one thousand eight hundred and sixty-seven, to which this act is a further supplement.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT

No. 275.

A Further Supplement

To an act approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act authorizing the city of Allegheny to issue water bonds."

SECTION 1. *Be it enacted, &c.*, That the city of Allegheny is hereby authorized to issue additional bonds, of such denomination as may be deemed best, for water improvements, to the amount of one hundred and fifty thousand dollars, payable in twenty years, and bearing interest not exceeding seven per cent.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 276.

An Act

To authorize the trustees of the will of Algernon S. Roberts to convey lands to the Rockhill Iron and Coal Company, and receive stock of said company in payment of same.

WHEREAS, Algernon S. Roberts died seized of an undivided fourth part of certain coal lands situate in the counties of Huntingdon, Bedford and Fulton, which were devised in trust as to one-third for his wife for life, and as to the residue for his six children, to be divided between them or such as should be living in the year one thousand eight hundred and eighty, or at the death of his wife, should she then survive, or in case of the decease of any of them, leaving issue, to such issue, and in default of issue among their brothers and sisters as the deceased child or children should by will appoint; and the trustees named in his will are thereby authorized to sell or lease the said estate:

And whereas, The co-tenants of the said lands have agreed to organize a company to develop the said lands and receive stock in the company upon conveyance of their estates in the said lands:

And whereas, It is deemed advantageous by the trustees and all the said devisees now living, and having a vested estate in the property, either in possession or interest, that they should be permitted to unite in the organization on the same terms as the other parties, their co-tenants of the said property, but they are unable to do so for want of a power authorizing them to convey upon the terms above mentioned; therefore,

SECTION 1. *Be it enacted, &c.*, That the trustees under the will of the said Algernon S. Roberts, with the consent of all the devisees named in his will having a vested estate for the time being in the estate above mentioned, either in possession or interest, are hereby empowered to convey the same to the Rockhill Iron and Coal Company, and to take and receive shares of stock of the said company as and for the price of the said land, which shares shall be held upon the same trusts, and for the same uses, persons and estates, for and upon which the said lands were held under and by virtue of the said will: *Provided*, That the said trustees sell and convey the said lands to the company upon terms and for a consideration equally advantageous to the trust and persons beneficially interested under the said will as all other, the co-tenants of the property, sell and convey their estates in the proportion of their respective interests in the property.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 277.

A Supplement

To an act, entitled "An Act to incorporate the Tuscarora Female Institute," approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty, partially changing the name of the same and authorizing it to grant diplomas and confer degrees.

SECTION 1. *Be it enacted, &c.,* That the institution of learning, known as the Tuscarora Female Institute, situated in Tuscarora Valley, Juniata county, and incorporated the twelfth day of March, Anno Domini one thousand eight hundred and sixty, shall hereafter be known by the name and title of the Tuscarora Female Seminary. Name changed.

SECTION 2. That the faculty of said seminary is hereby authorized and empowered to confer such literary degrees and academic honors as are usually granted by collegiate institutions upon such pupils as shall have completed, in a satisfactory manner, the prescribed course of study. Faculty authorized to confer degrees.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 278.

An Act

Relative to the legalizing of Dick street, in the city of Reading.

SECTION 1. *Be it enacted, &c.,* That the select and common councils of the city of Reading shall have power to apply to the court of quarter sessions of the county of Berks to sanction the opening of Dick street, between Seventh and Poplar streets, in said city, to such width as may be deemed necessary; in the same way as if the said street were on the horizontal survey of said city, and the said court shall have power to approve and confirm the same.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 279.

An Act

Granting a pension to Joseph M'Donald.

WHEREAS, Joseph M'Donald, a private in company F, in the Twentieth regiment Pennsylvania militia, called out by the proclamation of the governor, dated tenth September, Anno Domini one thousand eight hundred and sixty-two, while with his company on the railroad train from Greencastle to Harrisburg, in consequence of a collision of cars, sustained serious bodily injury by the crushing of his left ankle, and such other injuries as have rendered him unable to perform any manual labor, in consequence of which he has been compelled to become an inmate of the National asylum for disabled volunteer soldiers, where he now resides; therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer be and is hereby directed to place the name of Joseph M'Donald on the list of pensioners, at the rate of fifteen dollars per month, from the first day of January, Anno Domini one thousand eight hundred and sixty-six, and to continue for and during the term of his natural life: *Provided*, That this pension shall cease and determine when any pension shall be granted to the said Joseph M'Donald by the government of the United States.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 280.

An Act

To authorize the councils of the city of Reading to widen Reed street, between Washington and Walnut streets, in said city.

SECTION 1. *Be it enacted, &c.*, That the select and common councils of the city of Reading, shall have power and authority to widen Reed street, between Washington and Walnut streets, in said city, by adding twenty feet in width on the east side of the street, including an eleven feet wide pavement on the east side, so as to make the said street forty feet wide in the same manner as though the said street had been laid out as a forty feet street in the horizontal survey of said city.

SECTION 2. That the select and common council of the city of Reading, shall have power and authority to widen Reed street, between Walnut and Elm streets, in said city, by adding five feet in width on the east side of the street, and

Councils authorized to widen Reed street, between Washington and Walnut streets.

May widen same between Walnut and Elm streets.

by adding five feet in width on the west side of the street, from Elm street to a point ninety feet north of Walnut street, so as to make the said street forty feet wide throughout, with the exception of said ninety feet, in the same manner as though said street had been laid out as a forty feet street in the horizontal survey of said city.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 281.

An Act

To prohibit the keeping of billiard rooms, bowling saloons and ten-pin alleys within two miles of the State Normal School at Mansfield, in the county of Tioga.

SECTION 1. *Be it enacted, &c.*, That it shall not be lawful, after the passage of this act, for any person or persons to keep or maintain any billiard saloon, bowling saloon or ten-pin alley within two miles of the State Normal School at Mansfield, in the county of Tioga.

Keeping of billiard saloons, &c., prohibited.

SECTION 2. Any person who shall violate the first section of this act shall be deemed guilty of a misdemeanor, and on conviction shall be fined any sum not exceeding two hundred dollars, or be imprisoned in the county jail not more than thirty days, or both at the discretion of the court.

Penalty for violating act.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 282.

A Further Supplement

To an act, entitled "An Act to incorporate the Central Land and Mining Company," approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, authorizing said company to issue bonds to an amount not exceeding seven hundred thousand dollars, and to mortgage the franchises, real and personal estate of the company, or any portion thereof.

SECTION 1. *Be it enacted, &c.*, That the Central Land and Mining Company be and the same is hereby authorized and

empowered to issue bonds from time to time to an amount, not exceeding seven hundred thousand dollars, in sums of not less than five hundred dollars each, and bearing interest at a rate not exceeding seven per centum per annum, payable in lawful money of the United States, and to mortgage the franchises, real and personal estate of the company, or any portion thereof, that is now owned or that may be hereafter owned by the said Central Land Mining Company.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 283.

An Act

To facilitate the collection of poor taxes in Germantown township, and in the Seventh, Eighth, Ninth and Tenth precincts of the Twenty-first ward, Philadelphia.

When taxes to be due and payable.

SECTION 1. *Be it enacted, &c.*, That all taxes assessed for poor purposes by the managers for the relief and employment of the poor of the township of Germantown, and by the managers for the relief and employment of the poor of the Seventh, Eighth, Ninth and Tenth precincts of the Twenty-first ward, Philadelphia, shall be due and payable on the first day of January in every year; and the said managers are hereby authorized to make such discount from said taxes for payment before the first day of July, and to add such penalty, in addition to said taxes unpaid after the said date, as they shall deem necessary, not exceeding two mills on the dollar of valuation.

Abatements and additions.

How collection to be enforced.

SECTION 2. That the said managers shall have power to collect by distress, all taxes assessed for poor purposes that may remain due and unpaid after the thirty-first day of January, in each and every year succeeding the years of assessment, and to register the same and to file liens therefor against the real estate in the said poor districts upon which the said taxes have been assessed, and they shall have power and authority to sue out and collect said liens, in the same manner as is provided by existing laws for the collection of unpaid or outstanding taxes.

Repeal.

SECTION 3. That such part of the existing poor laws of said township and precincts as are inconsistent with or supplied by this act are hereby repealed.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 284.

An Act

To prevent cattle, horses, mules, et cetera, from running at large in Plain Grove township, Lawrence county.

SECTION 1. *Be it enacted, &c.*, That the provisions of the act, entitled "An Act to prevent cattle, horses, et cetera, from running at large in Little Beaver township, Lawrence county," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven, are hereby extended to and after the first day of April next shall be of full force and effect in the township of Plain Grove, Lawrence county.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 285.

An Act

For the relief of Margaret Brobst, aged seventy-nine years, a resident of the city of Reading, Pennsylvania, widow of Frederick Brobst, late a soldier in the regular army of the war of one thousand eight hundred and fourteen, deceased.

WHEREAS, Margaret Brobst is excluded from becoming a pensioner of the United States by act of congress, approved February fourteenth, Anno Domini one thousand eight hundred and seventy-one, by reason of marriage to said soldier after the seventeenth day of February, Anno Domini one thousand eight hundred and fifteen :

And whereas, Said widow is in indigent circumstances, and solely dependent on her children for support who are also poor; therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer be and he is hereby authorized and required to place the name of Margaret Brobst on the list of pensioners, at the rate of eight dollars (\$8) per month, from the first day of January, Anno Domini one thousand eight hundred and seventy-three, to continue for and during the term of her natural life.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 286.

An Act

To authorize the sale of a lot of ground, in the Twenty-fourth ward, selected for school purposes, and directing the disposition of the proceeds of said sale.

WHEREAS, The city of Philadelphia purchased a lot of ground situate on the south-east corner of Antoinette, (late Wyoming,) and Baring streets, in the Twenty-fourth ward of the said city, with a view to erect thereon a grammar school :

And whereas, By the then action of the board of control, and of the select and common council, a new selection was made for location, and a grammar school has been erected thereon, and said lot of ground is not now needed for school purposes as a location, but the proceeds thereof is required for school purposes in other parts of said ward ; therefore,

SECTION 1. *Be it enacted, &c.*, That the mayor of the city of Philadelphia be and he is hereby authorized, empowered and directed, to offer for sale, and sell all that certain lot or piece of ground, situate at the south-east corner of Antoinette, (late Wyoming,) and Baring streets, in the Twenty-fourth ward of said city at public sale ; and after the payment of the expenses attending said sale the proceeds that may remain shall be paid into the treasury to the credit of the twenty-fourth section, to be used toward the erection of such new school house or houses as may be determined by the concurrent action of the board of directors of said section, the board of public education and the select and common council of said city ; the city treasurer shall notify the city controller of the amount received by him, under the provisions of this act ; and said controller shall, upon the books in his office, give credit to said section, to be used only as hereinbefore provided, and no part of said sum shall merge.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT

No. 287.

An Act

To incorporate the Union Bridge Company.

Incorporators.

SECTION 1. *Be it enacted, &c.*, That George B. Hill, J. B. Smith, C. Howard, R. W. M'Connell, C. Hanson Love, W. H

Hagan, Wm. Coates, Adam Weaver, Wm. Sample, Jr., Charles Jeremy, J. B. Ramsey, Wm. H. Wilson, R. S. Hemick, H. W. Oliver, Jr., John F. Jennings, Hugh M'Neil, Henry Warner, Geo. Reites, Alexander Patterson, Henry M. Long, and their associates, successors and assigns be and they are hereby sealed and declared a body politic and corporate, by the name, style and title of the Union Bridge Company, and by that name and title shall have perpetual succession, and sue and be sued, plead and be impleaded in any court whatever, and contract and be contracted with, may have and use a common seal and alter the same at pleasure, and have, and use, and exercise all the rights, and privileges, and franchises that are or may be necessary, or that are hereby given or intended to be given.

Title.

Privileges.

SECTION 2. That the said Union Bridge Company are hereby authorized to build, erect and construct a bridge over the Allegheny river, at any practicable point on Duquesne way, between Second street and the Monongahela river and Allegheny avenue, or any other practicable point in the city of Allegheny: *Provided*, That the erection of said bridge shall not obstruct the navigation of said river, so as to endanger the passage of rafts, steamboats or other water crafts; and the piers shall not be so placed as to interfere with tow-boats proceeding out with their tows made up, and shall be constructed in such manner as meet the requisitions of the law in regard to the obstructions of navigation.

Construction of bridge authorized.

Navigation not to be obstructed.

How piers to be located and constructed.

SECTION 3. The said company are hereby authorized to hold, use and own by purchase or otherwise, and to sell, lease, let, mortgage, transfer or convey all property, real, personal or mixed, necessary to their work and business, and that may from time to time be deemed proper.

May hold property.

SECTION 4. That the capital stock of the said company shall be three hundred and fifty thousand dollars, with the privilege of increasing the same from time to time, as they may think proper and necessary to carry out this act, which stock shall be divided into shares of such amount as the board of directors may determine, and may be sold at the fixed par value, or at such price as may be deemed best, and be declared fully paid and not subject to further calls; and the said stock may be appropriated to the payment of materials furnished, labor performed or to be performed, expenses incurred, and in payment of ground, buildings, boats purchased, leased or constructed, and for everything generally needed in carrying out the purposes of this act, and may also dispose of and use the said stock in the negotiation and sale of any securities authorized to be created by this act, either by absolute transfer for such consideration as may be deemed expedient or collateral security.

Capital stock.

SECTION 5. That any five of the persons named in this act, or such persons as may hold a majority of the stock required to be subscribed for before commencing the building of the bridge, are hereby authorized to organize the corporation, and shall choose by a majority of the stock subscribed and paid for as provided, a board of directors, consisting of not less than five persons, who shall choose or elect a president,

Organization.

Election of directors.

President, secretary, &c

a secretary and a treasurer, and such other officers as they may think necessary to conduct the business of the company; the directors and officers to hold their places for such time as may be fixed by the by-laws, and until other officers are chosen; and the said company shall have power to make such by-laws, rules and regulations not inconsistent with the constitution and laws of this state and of the United States, as may be necessary; the existence of said corporation to be in no wise affected by reason of failure to elect officers at the time fixed by the by-laws.

By-laws, rules and regulations.

Subscriptions.

SECTION 6. That the corporation, or a majority of them herein named, are hereby authorized and directed to open a book or books of subscription to the capital stock, of which notice shall be given in at least three newspapers published in the city of Pittsburg, at such times and places as to them may be deemed most advisable; and as soon as fifty thousand dollars of the stock has been subscribed for, and ten per centum actually paid, in accordance with the provisions of this act, the said company may commence the business herein authorized.

When business may be commenced

May create mortgages and issue bonds.

SECTION 7. The said company is hereby authorized to create a mortgage or mortgages on any part or the whole of their property, including the franchises hereby granted, and execute and deliver coupon bonds thereon, bearing interest at the rate of seven and three-tenth per centum per annum, which bonds shall be convertible any time before maturity, at the option of the holder, into the stock of the said company; and the said company may dispose of the aforesaid securities at such rates as may be deemed proper, and also have the power of hypothecating them as security for the payment of the money loaned the said company.

Bonds convertible into stock.

May dispose of securities.

President and managers may contract for purchase of land.

SECTION 8. That the president and managers of the company may contract with the owners of any land for the purchase of so much as shall be necessary for completing said bridge, and making all necessary works and causeways to and from the same; but in case they cannot agree, then it shall and may be lawful for the said president and managers to apply to the court of common pleas of the proper county, who are hereby authorized and required to appoint three disinterested persons of such county, who after being duly sworn or affirmed faithfully to perform the duties enjoined, shall proceed to view the said lands necessary for completing the said bridge, and making the necessary works and causeways to and from the same, and shall estimate the value of the said lands to be taken, and the advantages as well as disadvantages which may be sustained by the owners of such lands, shall make an appraisement thereof, and return the same with the map of such lands to the said court of common pleas; and the said appraisement, having been approved by the court, shall be filed together with the said map; and the said company having paid to the said owners respectively the several sums awarded to them with the costs, after the same shall have been confirmed by the court, shall be entitled to have and to hold to them, their successors and assigns, the said land as fully as it conveyed by their owners: *Provided, That said*

Proceedings in cases of disagreement.

appraisement shall be held to be confirmed by the court of common pleas, unless exceptions be filed by either party within ten days after the same shall have been approved.

SECTION 9. That if any person or persons shall wilfully pull down, break or destroy any part of said bridge, or any toll house, gate or other property of the said corporation, erected for the use of said bridge, or shall wilfully or maliciously obstruct the passage over the said bridge, each of them shall forfeit and pay for each and every offence, to the said company, the sum of twenty dollars, to be recovered as other debts of like amount are recoverable, and be imprisoned in the jail of the proper county for a period of not less than ten nor more than thirty days, at the discretion of the court; and if any person shall be guilty of carrying a lighted cigar or pipe, or of carrying fire in manner whatsoever on said bridge, except in a lantern or in some vessel secured, so that the probability of setting fire to said bridge shall be fully prevented, or shall discharge any pistol, or gun, or any fire arms on or near said bridge, he, she or they so offending shall forfeit and pay to the said company the sum of twenty dollars, and suffer imprisonment as aforesaid; or if any person or persons shall ride or drive on or over said bridge in a faster gait than a walk, he, she or they so offending shall forfeit and pay to the said company the sum of ten dollars for every such offence, to be recovered in like manner as aforesaid; but no suit shall be brought for any of the aforesaid offences, unless commenced within thirty days after it shall be known who committed said offences, and he, she or they so offending shall remain liable to the actions at the suit of said company, if the sums herein mentioned be not sufficient to repair and satisfy said damage.

Penalties for injuring bridge, &c.

SECTION 10. The said company is hereby authorized to hold, use and own by purchase or otherwise, sell, lease, let, mortgage, transfer or convey all property, real, personal and mixed, necessary to their work and business, and that may from time to time be deemed proper.

May own property necessary to business.

SECTION 11. That it shall be lawful for the president and managers, their superintendents, engineers and workmen, to enter on lands near the place where the bridge is to be built, for the location of the same, and to cut and carry away timber, dig gravel, quarry stone, or gather sand necessary for building; also to enter thereon with wagons and carts, to take and carry off any material necessary, doing as little damage as possible, and making amends for damages, or giving security for the same; and if the parties cannot agree upon the amount, said damages shall be assessed as road damages are by law assessed; the president and managers shall pay such damages with costs, and in case of refusal, the court shall enforce payment by execution.

May enter on lands to locate bridge and take materials.

How damages to be assessed in cases of disagreement.

SECTION 12. The stockholders shall be personally liable for materials furnished, and labor performed, to the amount only remaining unpaid on the stock held by them respectively.

Liability of stockholders.

SECTION 13. That the said company are empowered to erect gates, and to demand and receive the same tolls for crossing said bridge as are now by law authorized and collected for

May erect gates and demand tolls.

crossing over the wire suspension bridge at Sixth street, (late St. Clair street,) in said city.

Letters patent

SECTION 14. The governor is hereby authorized and directed to grant and issue letters patent to the corporators or a majority thereof named in this act, or their assigns, whenever fifty thousand dollars of the stock shall have been subscribed, and five per cent. thereon paid in, as provided for in this act, satisfactory certificate of this fact having first been made to the governor.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 238.

An Act

To repeal an act, entitled "A supplement to an act, entitled 'An Act for the appointment of path-masters in certain parts of Luzerne county,' approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-eight, so far as relates to the township of Foster," approved the sixth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act of assembly, approved the sixth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to an act, entitled 'An Act for the appointment of path-masters in certain parts of Luzerne county,' approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-eight, so far as relates to the township of Foster," be and the same is hereby repealed, and the present path-master of Foster township shall continue in office until the expiration of his present term, after which the court of quarter sessions of Luzerne county shall appoint said path master as provided for by an act of assembly approved the said twelfth day of March, Anno Domini one thousand eight hundred and sixty-eight, entitled "An Act for the appointing of path-masters in certain parts of Luzerne county."

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 289.

An Act

To empower the purchasers of the property of the Daguseahonda Improvement Company, to organize as a new corporation and execute a mortgage on its property.

SECTION 1. *Be it enacted, &c.*, That the purchaser or purchasers of the rights and franchises of the Daguseahonda Improvement Company heretofore sold at public sale, shall be and they are hereby authorized and empowered to organize as a new corporation under the provisions of the act of this general assembly, entitled "An Act concerning the sale of railroads, canals, turnpike, bridges and plank roads," approved the eighth day of April, eighteen hundred and sixty-one, and its supplements, with like force and effect as if the same had been regularly organized within the time provided by the said statute, and with all of the powers and privileges conferred by the said act and its several supplements.

Purchasers may
organize as a new
corporation.

SECTION 2. That the said new corporation, when so as aforesaid organized, shall be and it is hereby authorized and empowered to issue its coupon bonds to an amount not exceeding two millions of dollars, bearing interest at a rate not exceeding eight per centum, in sums not less than one hundred dollars, and to secure the same by mortgage or mortgages upon the real and personal property, corporate rights and franchises of the said corporation.

May issue bonds,
and secure same by
mortgage.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT. .

No. 290.

An Act

To incorporate the Knox Farm Land and Improvement Company.

SECTION 1. *Be it enacted, &c.*, That W. W. Knox, F. Bausman, T. B. Swearingen, C. J. Mathews, Andrew Patterson and James F. Grimes, their associates and successors, be and they are hereby created a body politic, by the name style and title of the Knox Farm Land Improvement Company, and by that name and title they shall be known, and have perpetual succession, with all the rights and privileges, and subject to all the limitations and restrictions expressed in the act to incorporate the Hamilton Land and Improvement Company,

Corporators.

Title.

Privileges, &c.

office.

Operations to be
confined to Alle-
gheny county.

Capital stock.

Bonus and taxes.

approved the sixteenth day of April, Anno Domini one thousand eight hundred and seventy: *Provided*, That the principal office of said corporation shall be in the city of Pittsburg, or in the county of Allegheny: *Provided also*, That the operations of the said company be confined to Allegheny county, Pennsylvania.

SECTION 2. The capital stock of said company may be increased to one million five hundred thousand dollars: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 291.

An Act

To provide for the redemption of certain bonds issued by the county commissioners of Venango county.

SECTION 1. *Be it enacted, &c.*, That for the purpose of redeeming all bonds issued by the county commissioners of Venango county prior to the thirty-first day of January, Anno Domini one thousand eight hundred and seventy-three, now outstanding and unpaid, it shall be lawful for the county commissioners of the said county of Venango to issue new bonds to an amount not exceeding two hundred thousand dollars, in not less sums than one hundred dollars each, at a rate of interest not exceeding seven per centum per annum, redeemable at the option of said county at any time after five years from the date thereof, and payable ten years after the date thereof, with coupons attached thereto, for the payment of the interest thereon semi-annually; and it shall be the duty of the said county commissioners to redeem and retire the bonds now outstanding and unpaid as rapidly as they become due, and as soon as they are redeemed by such new bonds; and it shall be the duty of the said county commissioners to keep an account of the number, date and amount of each of such new bonds issued and exchanged, and to whom payable, and the said bonds with the interest thereon shall be clear and discharged of all taxes and assessments of every kind and nature except for state purposes: *Provided*, That the present bonded indebtedness of said county shall not be increased under this act.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 292.

An Act

To authorize the burgess and council of the boroughs of Wellsboro' and Blossburg, in the county of Tioga, to establish fire limits in said boroughs, and to prohibit the erection of wooden or other inflammable buildings therein, and also authorizing the burgess or any justice of the peace of said boroughs to commit offenders to the lock-up of said boroughs or the jail of said county for non-payment of fine imposed under borough ordinances.

SECTION 1. *Be it enacted, &c.*, That the burgess and council of the boroughs of Wellsboro' and Blossburg, in the county of Tioga, be and they are hereby authorized and empowered to establish fire limits in said boroughs, by ordinance, which shall be in force from and after the date of its adoption, and they may prohibit the removal into and the erection of any wooden or other inflammable buildings within such limits, unless a license to do so shall be first had from said burgess and council.

May establish fire limits, and prohibit erection of wooden buildings.

SECTION 2. That the burgess of the said boroughs, or any justice of the peace thereof, shall have authority, in case of the non-payment of any fine imposed under and by virtue of any ordinance or law of said borough to commit the offender to the lock-up of said borough or the jail of said county for a term not exceeding ten days from the time of such commitment, or until otherwise discharged by due process of law.

Burgesses or justices may commit offenders to lock-up for non-payment of fines.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 293.

An Act

Creating Martin Monaghan, of the borough of Ashland, in the county of Schuylkill, an auctioneer for the counties of Schuylkill and Columbia.

SECTION 1. *Be it enacted, &c.*, That Martin Monaghan, of the borough of Ashland, in the county of Schuylkill, be hereby authorized and empowered to sell at public auction, at such times and places within the county of Schuylkill and in the borough of Centralia, in the county of Columbia, as he may select, all kinds of goods, wares, merchandise, land, tenements and all kinds of property: *Provided*, That the said Martin Monaghan, shall, before exercising any of the powers or en-

joying any of the immunities or privileges hereby conferred, pay into the treasurer of either county of Schuylkill or Columbia, the sum of fifty dollars for the use of the commonwealth: *And provided further*, That he, the said Martin Monaghan, shall pay into the treasurer aforesaid for the use of the commonwealth, one-fourth of one per centum on all annual sales exceeding ten thousand dollars.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 294.

An Act

Relating to the levy of road tax in the township of Oil Creek, Venango county.

SECTION 1. *Be it enacted, &c.*, That in lieu of all road taxes, heretofore allowed by law to be assessed by the road commissioners of Oil Creek township, Venango county, said commissioners may annually, hereafter, levy at one time such tax as they shall deem necessary for road and bridge purposes, not exceeding ten mills on each dollar of the valuation of property liable to taxation for said purposes, to be collected as heretofore provided by law.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 295.

An Act

Supplementary to the charter of the Agricultural and Industrial Association of Cattawissa Valley, located in Ringtown, Schuylkill county, Pennsylvania, authorizing them to issue preferred stock.

Preamble.

WHEREAS, The Agricultural and Industrial Association of Cattawissa Valley was incorporated by the court of common pleas of Schuylkill county, at June term, Anno Domini one thousand eight hundred and seventy-one, under the acts of assembly giving the courts of the commonwealth power to erect agricultural associations into corporations:

And whereas, The said association is now desirous of possessing certain additional rights, powers and privileges to those granted under said charter; therefore.

SECTION 1. *Be it enacted, &c.*, That the charter of the Agricultural and Industrial Association of Cattawissa Valley, as granted by the court of common pleas of Schuylkill county, at June term, Anno Domini one thousand eight hundred and seventy-one, recorded in the office for recording deeds, et cetera, in and for said county, is hereby validated and confirmed, and the said Agricultural and Industrial Association of Cattawissa Valley is hereby declared a body politic and corporate in law, and to be possessed of all and singular the rights, incidents and franchises of a corporation.

Charter validated

Declared a body politic.

SECTION 2. That the board of directors of said association shall have power to issue five hundred shares of preferred stock of said association, at the value of ten dollars per share; said shares of preferred stock to bear interest at the rate of ten per centum per annum; and to secure the payment of said interest the directors may mortgage the real estate of said corporation, and in default of the payment of the interest on said preferred stock when the same shall become due and payable, shall sell real estate of said corporation for the benefit of the holders of the preferred stock.

Directors may issue preferred stock.

Mortgage real estate.

SECTION 3. That the treasurer of said county be and is hereby authorized and directed to pay to the said association, the yearly sum of one hundred and fifty dollars, from and after the passage of this act, for which sum the commissioners of said county shall draw their warrant.

County treasurer to pay company \$150 annually.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 296.

A Further Supplement

To an act, entitled "An Act to authorize the erection of a poor house in the county of Tioga," approved the twelfth day of March. Anno Domini eighteen hundred and sixty-six, making said county a single poor district, and providing for the levying and collection of a poor fund annually as a part of the county tax in said county.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the county of Tioga shall constitute and be considered a single poor district under the laws of this commonwealth, and the cost of maintenance and relief of all poor persons, whose last place of legal settlement shall thereafter be in any township or borough of said county, shall be

County constituted a single poor district.

borne by the county at large, and not charged against the respective township or borough.

Commissioners to
levy and collect
poor fund annually

SECTION 2. When the county commissioners of said county shall hereafter make the annual estimate for expenses of the poor and poor house of said county, as required by the fourth section of the act to which this is a further supplement, they shall levy and cause to be collected with the county tax of the same year as part thereof, and in the same manner and upon the same subjects in and upon which the county tax in said county is now levied and collected, an annual sum sufficient to pay the said expenses as they accrue: *Provided*, That a particular account of the said expenses shall be kept and an annual statement thereof published as heretofore: *And provided further*, That the said commissioners are hereby authorized to levy and collect with the county tax of said county for the present year as aforesaid, a sum sufficient to pay the said expenses for the present year.

Repeal.

SECTION 3. All acts so far as they are affected by this act are hereby repealed.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 297.

An Act

To amend an act approved February twenty seventh, one thousand eight hundred and seventy-two, entitled "An Act supplementary to an act incorporating the Byberry and Bensalem Turnpike Road Company, approved March tenth, one thousand eight hundred and forty-eight."

SECTION 1. *Be it enacted, &c.*, That the word "Remington," where it occurs in the first and only section of an act entitled "An Act supplementary to an act incorporating the Byberry and Bensalem Turnpike Road Company, approved March tenth, one thousand eight hundred and forty-eight," be and the same is hereby changed to and henceforth be called by and be known as "Kensington," in compliance with the style and title of the act to which it refers, approved April second, one thousand eight hundred and sixty-nine.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 298.

An Act

To increase and fix the pay of election officers in the county of Lycoming.

SECTION 1. *Be it enacted, &c.*, That instead of the pay heretofore received by the election officers in the county of Lycoming, each officer and member of any election board shall hereafter be paid for their services at any special or general election in said county, at the rate of two dollars and fifty cents per day, to be computed from the opening to the closing of the polls, and twenty-five cents per hour for each additional hour they may be necessarily engaged in counting the votes and making out the returns after the polls shall be closed.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 299.

An Act

To repeal an act, entitled "An Act to exempt the county of Schuylkill from the provisions of an act, approved the tenth day of May, Anno Domini one thousand eight hundred and sixty-six, entitled An Act relative to hucksters in the county of Lebanon."

SECTION 1. *Be it enacted, &c.*, That the act approved the ninth day of April, Anno Domini one thousand eight hundred and seventy-two, entitled "An Act to exempt the county of Schuylkill from the provisions of an act, approved the tenth day of May, Anno Domini one thousand eight hundred and sixty-six, entitled An Act relative to hucksters in the county of Lebanon," be and the same is hereby repealed.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 300.

An Act

To change the time for the revision of assessment lists by the assessors of Montgomery county.

SECTION 1. *Be it enacted, &c.* That it shall be the duty of the several assessors in the county of Montgomery, on the first Monday of April, in each year, (instead of the first Monday of June, in each year, as now required by law,) to take up the transcripts they have received from the county commissioners under the eighth section of the act of fifteenth of April, eighteen hundred and thirty-four, and proceed to an immediate revision of the same, and to perform all the duties enjoined by the first section of the act, entitled "An Act further supplemental to the act relative to the elections of this commonwealth," approved the seventeenth day of April, eighteen hundred and sixty-nine.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 301.

An Act

To fix the mileage and change the time for the meeting of the directors of the poor of Huntingdon county.

Mileage.

SECTION 1. *Be it enacted, &c.* That from and after the first day of April, Anno Domini one thousand eight hundred and seventy-three, the mileage of the directors of the poor of the county of Huntingdon shall be four cents per mile circular, instead of ten cents as now allowed; and the said directors shall from and after said date meet at the almshouse in said county, the first Tuesday of every alternate month, instead of monthly.

Meetings.

When steward,
physician, &c.,
to be appointed.

SECTION 2. That the steward, the farmer, the physician, the attorney and clerk of the board of poor directors, shall be appointed by said board of poor directors annually, at its first regular meeting after the October or general fall election, and not earlier.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 302.

A Further Supplement

To the act incorporating the borough of West Chester, passed the third day of March, Anno Domini seventeen hundred and eighty-eight, relating to the division of said borough into precincts, and the appointment of election officers in said precincts.

SECTION 1. *Be it enacted, &c.*, That whenever the court of quarter sessions of the county of Chester shall, in accordance with the provisions of an act, entitled "A further supplement to the act incorporating the borough of West Chester, and its several supplements, passed the third day of March, seventeen hundred and eighty-eight," approved the fourteenth day of April, Anno Domini eighteen hundred and fifty nine, divide the precincts of said borough, it shall be the duty of the said court of quarter sessions to appoint the necessary officers of election, for all of the precincts of said borough, which officers shall hold their respective offices until the election of their successors, which successors shall be chosen by the electors of said precincts, respectively, at the next regular borough election, in accordance with the existing laws of this commonwealth.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 303.

A Further Supplement

To an act to incorporate the People's Railway Company, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-five, and the supplement thereto, approved the twenty-eighth day of April, one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That section fourth of the supplement to the act, entitled "A supplement to an act, entitled An Act to incorporate the People's Railway Company, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-five," be so amended as to allow to said company the use of any kind of locomotive engines upon the railways of said company, and that said company shall not be restricted to the use of the dummy steam engine, as provided in said section to said supplement.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 304.

An Act

For the relief of John L. Tate, of Gettysburg, Adams county, Pennsylvania.

WHEREAS, John L. Tate, of the borough of Gettysburg, Adams county, Pennsylvania, from the eleventh to the twenty-fifth day of September, Anno Domini one thousand eight hundred and sixty-two, supplied Captain A. H. M'Creary's company of volunteer cavalry, with food for men and forage for horses, and during the month of June, Anno Domini one thousand eight hundred and sixty-three, from the seventeenth to the twenty second, inclusive, furnished supplies to the men and horses of Captain Robert Bell's company of cavalry, both companies having been called out for duty under orders of the governor of Pennsylvania :

And whereas, The said John L. Tate has never been paid for any of the supplies so furnished ; therefore,

SECTION 1. *Be it enacted, &c.*, That the auditor general, adjutant general and state treasurer are hereby authorized and required to audit and settle the claims of John L. Tate, for subsistence furnished by him to Captain A. H. M'Creary's company of volunteer cavalry, for fifteen days, from the eleventh to the twenty-fifth of September, Anno Domini one thousand eight hundred and sixty-two, including forage for the horses belonging to said company ; also for supplies furnished Captain Robert Bell's company of cavalry, for six days, from the seventeenth to the twenty-second day of June, Anno Domini one thousand eight hundred and sixty-three, inclusive, and the auditor general is hereby authorized to draw his warrant on the state treasurer for the amount of said claims in favor of John L. Tate: *Provided*, The amount hereby authorized shall not exceed the sum of eight hundred forty-seven dollars and fifty cents.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 305.

An Act

To provide for appeals from the report of viewers to assess damages in road cases, in the counties of Northumberland and Union.

SECTION 1. *Be it enacted, &c.*, That in all cases where damages have been assessed and not finally disposed of, or may hereafter be assessed by viewers appointed by the re-

spective courts of quarter sessions of the several counties of Northumberland and Union, in the said commonwealth, to assess damages on the petition of the owner or owners of any land through which a public road shall have been opened, or in any other manner whatsoever, upon the report of such viewers having been made as required by law, if the damages assessed, and reported be unsatisfactory either to the petitioner or petitioners, or to the county commissioners of either of the said counties, respectively, then either of such parties or persons shall have the full right and power to appeal from the award or report of such viewers either before or after exceptions shall have been filed to such report; and upon such appeal the court of either of the said counties in which the application for assessment of damages shall have been made, shall direct an issue in the nature of a feigned issue for the trial of all matters of difference or dispute between such appellant and appellee, and the case or cases so appealed shall be directed by the said court, to be placed at the head of the trial list for the then next following term of the court of common pleas: *Provided always*, That the said appeal be taken within twenty days after the first day of the term of the court to which the said report of viewers shall have been made, if no exceptions to the same shall have been filed as now allowed by law, and if exceptions shall have been so filed then within twenty days after the exceptions shall have been overruled by the court.

Court to direct issue for trial of matters of difference.

Cases to be placed at head of list.

When appeals to be taken.

SECTION 2. That the appeal provided for by this act shall be taken by the petition of the party appellant, his agent or attorney, to the court of quarter sessions of the county in which the application shall have been made, if the same be setting at the time of the appeal, or to the president judge thereof if the appeal aforesaid be taken in vacation; and upon the presentation of such petition the said court or president judge shall direct the issue hereinbefore provided, fix the parties plaintiff and defendant, and certify the cause to the court of common pleas for trial.

How to be taken.

Duty of court or judge.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 306.

An Act

Relating to the loans and ordinances of the borough of Emaus, Lehigh county.

SECTION 1. *Be it enacted, &c.*, That the bonds and evidences of indebtedness heretofore or hereafter to be issued by the borough of Emaus, in the county of Lehigh, be exempted from all taxation except for state purposes.

Loans.

Ordinances.

SECTION 2. That the ordinances of said borough shall not be printed unless council shall so direct.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 307.

An Act

To confer upon Matthias H. Henderson all the rights, powers and privileges of a son of Branton H. Henderson.

Preamble.

WHEREAS, Branton H. Henderson, of Sharon, in the county of Mercer, Pennsylvania, is desirous of having conferred upon his nephew, Matthias H. Henderson, of the same place, who is aged twenty-seven years, all such rights, powers and privileges as the said Matthias would be entitled to if he were the son of the said Branton H. Henderson.

Rights of son, conferred.

SECTION 1. *Be it enacted, &c.*, That upon Matthias H. Henderson, of Sharon, in the county of Mercer, is hereby conferred the same rights, powers and privileges which he would have, enjoy and possess if he were the son of Branton H. Henderson.

Tax on estate bequeathed or devised.

SECTION 2. All of the estate of the said Branton H. Henderson, which he may bequeath or devise to the said Matthias H. Henderson, or which the said Matthias shall receive, take or inherit from the said Branton H. Henderson, but shall be subject only to such tax as would be payable if the said Matthias were the son of the said Branton H. Henderson.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 308.

An Act

Authorizing the Coatesville school district to issue bonds bearing seven per centum interest.

Authorized to issue bonds.

SECTION 1. *Be it enacted, &c.*, That the school directors of Coatesville school district, in the county of Chester, be and they are hereby authorized to issue bonds on said district to an amount, not exceeding fifteen thousand dollars, in sums of

one hundred dollars and upward, bearing seven per centum interest per annum, payable semi-annually, for the purpose of redeeming the six per centum bonds of the district, now due or soon to become due, and that the term for which said bonds may be drawn shall be fixed by a resolution of the board: *Provided*, Said term shall not exceed ten years.

SECTION 2. That so much of any law now existing as is con- Repeal.
trary to this act be and the same is hereby repealed.

APPROVED—The 13th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 309.

An Act

Changing the time for the election for president, managers and treasurer of the Lewistown and Tuscarora Bridge Company, and entitling the holders of the capital stock of said company to cast one vote for each and every share thereof held by such stockholder.

SECTION 1. *Be it enacted, &c.*, That the next election for president, managers and treasurer of the Lewistown and Tuscarora Bridge Company, shall be held on the first Monday of April, one thousand eight hundred and seventy-three, and that the elections thereafter shall be on the first Monday of April in each year; and that at all such elections or meetings of stockholders, the holders of the capital stock of said company shall be entitled to cast either in person or by proxy, one vote When elections to be held.
Votes. for each share not exceeding ten shares, and one vote for every five shares exceeding ten, held by such stockholder.

SECTION 2. That so much of the charter of said company as Repeal.
may be inconsistent with the provisions of this act be and the same is hereby repealed.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 310.

An Act

To incorporate the United States Savings Bank of the city of Pittsburg.

SECTION 1. *Be it enacted, &c.*, That Joseph Walton, D. Z. Corporators.
Brickell, W. H. Hagan, James H. Mitchell, J. B. Smith, J. H. Stewart, A. C. Patterson, H. M. Long, S. A. Cosgrove, J. L. Weeb, J. Murray Clark, Jacob Phillips, A. M. Cavitt, and all others who shall hereafter become shareholders in

Name.	the corporation created by this act, and their successors, shall be and they are hereby made a body politic and corporate by the name and style of the United States Savings Bank, to be located in the city of Pittsburg, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, have a common seal, and alter and renew the same at pleasure; and also have the right to own and hold real estate, as follows, viz: Such as shall be necessary for its immediate business, such as shall be mortgaged to it in good faith by way of security for debts, such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings, such as it shall purchase at sales under judgments, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.
Privileges.	
What real estate may be held.	
Capital stock.	SECTION 2. The capital stock of the said bank shall consist of two thousand shares of the value of fifty dollars each, with the privilege of increasing the number of the same to an amount not exceeding twenty thousand or the value thereof, in a sum not exceeding two hundred and fifty dollars each share; such increase to be made from time to time as shall be deemed expedient by a vote of the board of directors, and when the capital stock is so increased, the stockholders shall have a right to elect to take such additional stock at a price fixed by the board of directors not less than par, in case they give notice of such election within ten days after such increase has been authorized, otherwise it shall be disposed of as the directors see fit, at not less than par.
Subscriptions.	SECTION 3. The incorporators, or a majority of them, shall have power to open books for subscription to the capital stock at such times and places as they may deem expedient; and when one thousand shares or more of said stock shall have been subscribed, and twenty-five per centum on each share thereof paid in, the said bank shall be authorized to commence business, and the shareholders may elect a board of thirteen directors to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve, to be filled by the board: <i>Provided however,</i> The remaining three-fourths of said capital stock shall be paid in within one year after commencing business, and when any increase of said capital stock the whole of same shall be paid in at time of subscription, or within one year thereafter.
When business may be commenced	
Election of directors.	
Vacancies.	
When full amount of capital to be paid in.	
Banking privileges.	SECTION 4. The said bank shall have power to borrow and lend money for such periods as may be agreed upon by the borrower, and the said bank may make, accept, draw or negotiate commercial paper, may buy and sell bullion, rents, annuities, commercial paper, mortgages, judgments, bonds, stocks, government securities, and other evidence of indebtedness, may receive money to keep for its depositors either with or without interest payable thereon; but until a larger sum is authorized by law, the whole of the assets of the said bank

shall not exceed the sum of two millions of dollars, exclusive of such real estate as it holds simply for the convenient transaction of its business.

Assets not to exceed \$2,000,000.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the said bank, not repugnant to the laws of this commonwealth or of the federal government, and shall be authorized to call in unpaid installments of stock when and in such proportions as they see fit, within one year after subscription, under penalty, in case of non-payment, after thirty days notice of such demand, of forfeiture to the bank of the delinquents stock, together with all previous payments thereon.

By-laws.

Forfeiture of stock for non-payment of of installments.

SECTION 6. The said bank shall be authorized to act as treasurer or financial agent of charitable or religious bodies or corporations, of cities, counties or other municipal or quasi corporations, and of the commonwealth of Pennsylvania or other states, giving security for the faithful discharge of the duties of such trusts if required.

May act as treasurer of charitable institutions, &c.

SECTION 7. The board of directors may declare and pay dividends out of the earnings of the said bank, in any amount not exceeding the same, and at such intervals as they deem proper.

Dividends.

SECTION 8. The annual election for president and directors shall be held on the second Monday of January, of each year, until otherwise directed by the by-laws of the said bank; and at such election shareholders shall be entitled to one vote for each share of stock, to be given either in person or by a written proxy, such proxy, however, shall be dated not more than six months nor less than five days' prior to the election at which any vote is cast in pursuance of it; and notice of such election shall be given at least five days' prior to the time thereof, by publication in one or more daily papers of the city of Pittsburg.

Annual election.

Votes.

Notice.

SECTION 9. The president of the said bank shall be chosen by the board of directors from their own number; the other officers and employees of the said bank shall also be appointed by the said board.

President and other officers.

SECTION 10. The said bank may pay, on presentation of the check, proper receipt or order of any minor or married woman, such money, or any part thereof, as such minor or married woman may have deposited in the said bank, or any interest or dividend thereon, without the approval of the parent, guardian or husband, as the case may be; and any deposits in the said bank made by a married woman shall be free from the control or disposal of her husband, or from the interference of her husband's creditors: *Provided*, That each and every stockholder shall be individually liable and bound for double the amount of stock held by them, for the liabilities of the bank to depositors and others.

Payment of deposits, &c., to minors and married women.

Individual liability.

SECTION 11. That said bank may take, receive, reserve and charge on any loan or discount by it made, interest at such lawful rate as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more; and nothing in this act contained shall alter, change

Interest on loans or discounts.

or affect the rate of interest provided for and established by this section.

Bonus and taxes.

SECTION 12. The said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Limitation.

Reservation.

SECTION 13. This charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the corporation.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 311.

An Act

To incorporate the borough of North Chester in the county of Delaware.

Incorporation.

Title.

Boundaries.

SECTION 1. *Be it enacted, &c.*, That that part of Chester township in said county, embraced within the following boundaries and limits, be and the same is hereby incorporated and constituted a borough under and subject to the general borough laws of this commonwealth, except as herein supplied or changed, with the name, style and title of the borough of North Chester, in the county of Delaware: That is to say, beginning at a point in the middle of the public road leading from the borough of Upland to the Edgemont road, being at the intersection of the boundary lines of the city of Chester, the borough of Upland and the township of Chester; thence along the north-eastern boundary of the said borough of Upland, to the line dividing the properties of A. C. Lukens and John Witherill; thence along the said line to the southern side of Edgemont road; thence along the said southern side to a point opposite the line dividing the properties of Mary Kelly and Isaac Engel Cochran; thence crossing the said road and along the said line to Ridley creek; thence down the said creek to the northern boundary of the said city of Chester; and thence following the said boundary to the place of beginning; said limits including the town or villages of Paul-town, Powhatton, Waterville, Shoemakerville and

Time and place of holding annual election.

First election.

SECTION 2. That the time and place of holding the annual borough election, shall be the third Friday in March, of each and every year, at the public school house in the said borough, called the Oak Grove school house; the first election for borough officers under this act shall be holden within sixty days after the passage of this act, and shall be conducted according to existing laws relating to election of borough offi-

cers, and shall be called by Robert E. Hannum, Esquire, and John M. Sharpless, or either of them, by handbills posted in at least ten of the most public places within said borough for ten days previous to said election; at the said first election Adam E. Eckfeldt shall act as judge and Henry L. Powell and Samuel M'Ilvain as inspectors; and in case of the neglect, inability or refusal of any of them to serve, the place of such shall be filled by the citizens assembled at the opening of the polls.

SECTION 3. That the said corporation shall have power to hold real and personal estate for the purposes of the borough, not exceeding in amount the annual income of ten thousand dollars, and that the indebtedness of the said borough shall at no one time exceed the sum of twenty-five thousand dollars for all purposes, but may amount to that sum.

Power to hold real and personal estate.

Indebtedness limited.

SECTION 4. That the said borough constitute a separate school and election district.

Separate election and school district.

SECTION 5. That for the purpose of settling all matters of indebtedness or division of property, real or personal, that may arise between the said borough and the said township of Chester, or between the respective school districts of the same, by reason of the formation of the said borough, Joseph Engle of the said township, James Irving of the said borough, and Samuel A. Crozer of the borough of Upland, in the said county, are hereby appointed commissioners, whose duty it shall be within six months after the passage of this act, to appoint a time and place of meeting, and to give notice thereof by advertisement for three consecutive weeks, in a newspaper published in the said county of Delaware, and by ten days' written information served on some one of the officers of the said township and borough, and of the respective school districts of the same, at which time and place, or by adjournment, the said commissioners or a majority of them shall ascertain and determine the said matters of indebtedness and division of property; and their finding and award shall be conclusive and without appeal, and if not complied with within one year, shall be filed by said commissioners or any party interested therein, in the office of the prothonotary of the court of common pleas of said county of Delaware, and thereon an execution may issue in the same manner and with the same effect as upon a judgment obtained against a township, borough or school district; the said commission shall have power to call before them any person or persons to testify, and to compel the production of books, accounts or papers, and to enforce their subpoena by attachment; any matter of indebtedness or division of property as aforesaid, which shall not be produced before said commissioners, upon notice having been given as aforesaid, shall be forever after concluded, and shall not be the subject of any after proceeding, action, suit or claim whatsoever; and the mode of settlement and division in this section provided shall be the only mode of settlement of indebtedness and division of property aforesaid; the said commissioners shall be entitled to a compensation of five (\$5) dollars per day for each and every day they may be engaged in or about the duties of their appointment; said compensa-

Settlement of indebtedness and division of property.

tion and the costs of the hearing or hearings before them to be paid as the said commissioners may designate. In case of the inability by reason of death, sickness or otherwise of any of the said commissioners to perform the duties of their appointment, the remaining commissioners or commissioner shall supply the vacancy by appointment, so that there shall always be one commissioner from the said township, one from the said borough, and one from the county of Delaware, outside of either of the said township or borough.

Erection of frame buildings regulated.

To be removed if erected contrary to section.

SECTION 6. That no frame building shall be erected within the limits of the said borough at a less distance than one hundred feet from any public road, street, lane or alley, either actually opened to travel and use, or laid out and marked on the borough plot, or at a less distance than one hundred feet from the line of any adjoining owner of land, without the consent of the council of the said borough first had and obtained for such erection. In case any building is erected contrary to the provisions of this section, the council of the said borough shall have power to order the removal thereof, and if the same be not removed within thirty days after notice given to the owner or occupier of said building, the said borough council may take down and remove the same, and collect the costs of such taking down and removal with twenty per centum added as in the case of pavements made by the said borough, as provided in the said general borough laws: *Provided*, That both houses, powers and open shedding shall be excepted from the operation of this section.

Power to curb, pave, &c., and borrow money therefor.

Levy special tax.

Discounts to be allowed for pre-payments.

How to be levied.

When only to be levied.

Work not to make indebtedness exceed \$25,000.

SECTION 7. That the council of the said borough, in addition to the powers conferred by the said general borough laws, shall have power either to pave the roadway, or curb and pave the sidewalks of the road or streets therein, or any portion of said roads or streets not less than one square in length, or to make the necessary sewers, or pave, curb and pave, and make sewers, and to borrow money to pay for the same at any rate of interest not exceeding eight per centum per annum, and to levy a special tax to pay the loan so created, for ten successive years, of one-tenth of the cost of the work, without interest, upon the lands fronting upon the roads or streets so paved, or in which said sewers are laid, and to collect the same as other taxes are collected. Any property owner may anticipate the payment of the said taxes, and in case of his so doing, shall be entitled to receive from the said borough a discount equivalent to the interest saved by the said borough, by reason of such pre-payment: *Provided*, That such special tax, for any or either of the said purposes, shall be levied upon the said lands in proportion to their extent of front upon such roads or streets: *And provided*, That no special tax shall be levied unless the work shall be done upon the written application of a majority of the owners of the lands fronting upon such roads or streets, or portions aforesaid, of such roads or streets, or upon the written application of the owners of the majority in extent of front of such lands: *And provided further*, That no work under this section shall be done by the said council, as to at any one time make the indebtedness of the said borough exceed for this and all other purposes

the sum of twenty-five thousand dollars aforesaid. The said taxes and all liens entered under this charter, shall remain liens upon the property against which they may be assessed or entered, until they shall be fully paid, without limitation as to time or operation of any judicial sale; but no mortgage, judgment or other incumbrance recorded or entered against any property before the assessment or filing of any of said taxes and liens against it, shall be in any manner affected or impaired by said taxes or liens, or by any proceeding thereon.

Taxes and liens to remain liens until paid.

Not to affect prior liens.

SECTION 8. The said borough shall be allowed to borrow money at any rate of interest not exceeding eight per centum per annum, and to issue their bonds or certificates of indebtedness therefor.

May borrow money and issue bonds.

SECTION 9. That the said borough shall have no power to interfere with any rule or regulation of the Chester Rural Cemetery Company, (whose lands are situate within the limits of said borough,) nor to have or exercise any authority over the said company, or any of its said lands.

Not to interfere with rules of Chester Rural Cemetery Company.

SECTION 10. That the council of the said borough shall have power to order the opening of any road, street, lane, court or alley within the limits of the said borough, which shall be marked on the plot thereof whenever the said council shall deem it necessary, and in laying out the said roads and streets, the said council shall not be limited to the width of fifty feet, but may designate any width they think proper: *Provided*, That before any road, street, lane, court or alley is actually opened, damages shall be assessed and paid, or security given that any damages that may be awarded shall be paid; and damages to be assessed, awarded and paid as is now provided by the act of assembly, in such case made and provided in and for the said county of Delaware: *Provided*, That no compensation shall be made for any building or other improvement erected or made within the limits of any road, street, lane, alley or court after the plot designating the same shall be surveyed and made out by the council of the said borough.

Power to open streets, &c.

Before opened, damages to be assessed and paid or security given.

No compensation to be given for buildings erected after plot is made.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 312.

An Act

To prevent hawking and peddling in the counties of Delaware and Lawrence without licenses.

SECTION 1. *Be it enacted, &c.* That from and after the passage of this act it shall not be lawful for any person or per-

Pedlers to be licensed.

sons to sell or expose to sale within the limits of Delaware and Lawrence counties, as a hawker or peddler or traveling merchant, any clothing hats, or other wearing apparel, foreign or domestic goods of any kind, notions, jewelry, wares or merchandise, without first having obtained from the county treasurer a license so to do and having paid therefor to the treasurer of the proper county, for the use of the county, such sum or sums as are hereinafter specified: *Provided*, That no part or section of this act shall be construed to apply to wholesale peddlers, or such as sell goods exclusively to merchants or manufacturers to be used in their business.

Proviso.

Sums payable for license.

Not to apply to wounded soldiers, &c.

Penalty for selling without license, or refusing to exhibit same.

Mode of proceeding for violation of act.

Warrant to be issued on complaint made.

Offenders to give bail, or be committed to jail.

Repeal.

SECTION 2. Every person applying for license under this act shall pay to the county treasurer, as aforesaid, the sum of five dollars, to peddle on foot, fifteen dollars to peddle with one horse and wagon, and twenty-five dollars for license to peddle with two horses and wagon: *And provided further*, That this act shall not apply to persons wounded in the military service of the United States, who are entitled, under existing laws, to a peddler's license without charge; nor shall it apply to those who sell fish, oysters or meat, or those who sell produce off their farms, who are residents of the county.

SECTION 3. If any person not being licensed as aforesaid, shall be found hawking, peddling or travelling from place to place in said county, to sell or expose to sale any wares or merchandise whatever, he shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine, in the discretion of the court, not exceeding one hundred dollars, and costs of prosecution; or if any person being so licensed, shall refuse to exhibit his license when requested so to do by any citizen of said county, he shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine, in the discretion of the court, not exceeding twenty-five dollars, and costs of prosecution; the informer in either case to receive one-half, and the other half to be paid into the treasury of the proper county.

SECTION 4. The mode of proceeding against any person for a violation of any of the provisions of this act, shall be by complaint before a justice of the peace and indictment in the quarter sessions of said county; and whenever complaint shall be made to any magistrate or justice of the peace, on oath or affirmation, against any person for violating the provisions of the same it shall be the duty of such magistrate or justice to issue a warrant for the apprehension of the person so offending, and compel him to enter into a recognizance, with sufficient securities, for his appearance at the next quarter sessions of said county, and in default of such recognizance to commit the person so charged to the jail of said county, until he shall have been tried before said court.

SECTION 5. All laws inconsistent with any of the provisions of this act, as far as relates to Delaware and Lawrence counties, be and the same are hereby repealed.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 313.

An Act

Authorizing the school directors of the borough of Emlenton, Venango county, to borrow money, to issue bonds and to levy and collect a tax.

WHEREAS, Five per centum of the assessed valuation in the borough of Emlenton, Venango county, mentioned in act of assembly of April twenty-first, one thousand eight hundred and seventy-one, is insufficient for the purposes hereinafter proposed ; therefore,

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Emlenton, in the county of Venango, be and are hereby authorized to borrow a sum of money not to exceed ten thousand dollars, to be expended in building a school house and for school purposes in said borough, and to issue bonds therefor at a rate of interest not exceeding ten per centum per annum ; and they may pay the same at any time out of any money in the treasury, either from the school or building fund, and they may levy such taxes as may be necessary from time to time to pay the bonds so issued or the interest thereon, and that said bonds shall not be subject to taxation except for state purposes : *Provided*, That before exercising the privileges granted by this act, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 314.

A Supplement

To an act to incorporate the Dunmore Bank, approved April thirteenth, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the thirteenth section of an act to incorporate the Dunmore Bank, approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy-two, be taken and construed to mean that the stockholders shall be held individually responsible, equally and ratably, and not one for another, to the depositors with such association, to the extent of and double the amount of the capital stock subscribed for or held by them severally Individual liability of stockholders.

Additional corpo-
rators.

Where to be lo-
cated.

Name changed.

Directors.

Repeal.

therein, at the par value thereof, in addition to the amount invested in such share, after the remedies against said corporation shall have been exhausted, and the stockholders shall accordingly be so held as herein provided; and William W. Scranton, Clark E. Royce and Frank D. Collins are added to the corp rators therein named.

SECTION 2. That the said bank shall be located in the city of Scranton, and that the name, style and title of said bank shall be and the same is hereby changed to that of the Scranton City Bank, and that at no time shall the directors of said bank exceed eleven in number.

SECTION 3. All acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 315.

An Act

To provide for the payment of fees due certain witnesses in a cause wherein the commonwealth of Pennsylvania was plaintiff, and the Atlantic and Great Western Railway was defendant.

WHEREAS, A suit was instituted in the supreme court of Pennsylvania, against the Atlantic and Great Western Railway Company, in which a *quo warranto* was issued by the attorney general, to compel said company to complete its road to the harbor of Erie, in compliance with the provisions of its charter:

And whereas, John Kilpatrick, John H. Gray, C. C. Boyd, H. C. Rogers and S. B. Beuson, were subpœnaed and attended as witnesses on the part of the commonwealth in said suit, at Philadelphia, at the February term, in the year one thousand eight hundred and seventy:

And whereas, By an act of assembly, approved the eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one, said railway company was released from extending their road to the harbor of Erie, thereby causing a discontinuance of said suit, and no provision being made for the payment of the witnesses above named; therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer be and is hereby authorized and directed to pay said witnesses, upon the certificate of the attorney general, two dollars per day for the time actually employed or consumed, and mileage at the rate of five cents per mile circular.

APPROVED—The 15th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 316.

An Act

Restoring the equity jurisdiction of the district court of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the act of April fifth one thousand eight hundred and sixty-seven, entitled "An Act regulating equity jurisdiction in Philadelphia county," is hereby repealed, and the equity jurisdiction of the district court for the city and county of Philadelphia, is hereby restored as before the passage of said act.

APPROVED—The 15th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 317.

An Act

In relation to the election of town councilmen, the levy and collection of borough and bounty taxes, and the creation of a sinking fund by the borough of Carlisle, in the county of Cumberland.

SECTION 1. *Be it enacted, &c.*, That at the election next ensuing, after the date of this act, for members of the town council of the borough of Carlisle, in lieu of the present mode of electing the same, they shall be chosen and elected as follows, namely: The qualified electors of the East ward of said borough shall elect five members of the town council, two of them to serve for three years, one for two years and two for one year; and the qualified electors of the West ward shall elect four members thereof, one of them to serve for three years, two for two years and one for one year; and at the next annual election for borough officers, the qualified electors of the West ward shall elect two members to serve for three years; and the qualified electors of the East ward shall elect one member to serve for three years, and so on alternately for each successive year: *Provided however*, That in case of a vacancy occurring in said town council by reason of the death, resignation or removal of any of its members from said borough, the qualified electors of the ward from which such member was chosen shall elect a person to fill the unexpired term for which such member was chosen in the manner now provided by law for filling vacancies.

Election of councilmen regulated.

Vacancies.

SECTION 2. The corporate officers of the borough of Carlisle aforesaid, are hereby authorized and empowered to levy and collect annually, for borough purposes, any tax not exceeding eight mills on the dollar, and for bounty purposes,

Taxation for borough and county purposes

any tax not exceeding three mills on the dollar, on the assessed valuation of all property, occupations, offices, professions and persons made or to be made taxable by the laws of this commonwealth for county purposes: *Provided*, That moneys at interest, bonds and mortgages shall not be taxable for borough or bounty purposes: *And provided also*, That the borough authorities shall have authority to allow, under such rules and regulations as they may prescribe, an abatement to prompt tax payers of any sum not exceeding five per cent. of the amount so paid.

Portion of borough
tax to be set apart
as sinking fund.

How to be appro-
priated.

SECTION 3. That of the taxes levied and collected as aforesaid for borough purposes, the sum of three mills on the dollar of the valuation of said borough shall be annually set apart as a sinking fund, to be exclusively appropriated to the payment of the principal and interest of the corporate indebtedness of said borough: *Provided*, That the bonded indebtedness of the said borough shall not be increased under this act.

Repeal.

SECTION 4. That all laws of this commonwealth, whether general or special, inconsistent with the provisions of this act, be and same are hereby repealed, so far as they relate to the borough of Carlisle.

APPROVED—The 15th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 318.

An Act

Authorizing the city of Pittsburg to erect engine house and pumping works in the bed of the Allegheny river.

SECTION 1. *Be it enacted, &c.*, That the city of Pittsburg shall be, and is hereby authorized to appropriate and use such portions of the bed of the Allegheny river, as shall be necessary for the erection thereon, of the engine house and pumping works of the water works of said city: *Provided*, That such occupation of the river bed shall be in such manner as not to interfere with navigation.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 319.

A Further Supplement

To the act incorporating the Lewisburg, Centre and Spruce Creek Railroad Company, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-three, extending time for completion of their railroad and ratifying time of commencement.

SECTION 1. *Be it enacted, &c.*, That said Lewisburg, Centre and Spruce Creek Railroad Company, shall have two years from the passage of this act within which to complete said railroad. Time for completion extended.

SECTION 2. That the time of commencement of the construction of said railroad be and the same is hereby ratified and confirmed. Time of commencement ratified.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 320

Supplement

To the act, entitled "An Act to incorporate the Farmers' and Mechanics' Savings Bank."

SECTION 1. *Be it enacted, &c.*, That the first section of the act, entitled "An Act to incorporate the Farmers' and Mechanics' Savings Bank," approved the third day of April, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby amended so as to strike therefrom the names of James M'Couch, B. G. Welch, George A. Rahm, J. U. Springer, Frederick Gerker and George W. Downing, and inserting in their room the names of J. S. Bailey, John D. Gosh, R. H. Wooley, J. U. Torrence, S. P. Wolverton and Isaac Pursell, as incorporators, who shall have the right to proceed to organize the said corporation in the manner therein named.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 321.

A Supplement

To an act relating to livery stable keepers in Indiana county, approved April thirteenth, Anno Domini one thousand eight hundred and sixty-eight, extending the provisions of the same to Lancaster and Schuylkill counties.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act relating to livery stable keepers in Indiana county, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same are hereby extended to the counties of Lancaster and Schuylkill.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 322.

An Act

To authorize the Union County Agricultural Society of Union county to convey certain real estate, in the county of Union.

WHEREAS, The Lewisburg, Centre and Spruce Creek Railroad Company have located and constructed their railroad through the lands of said Union County Agricultural Society, in East Buffalo township, Union county, Pennsylvania, and the parties having settled as to the amount of damages for right of way, but the said agricultural society have not the authority to execute the proper deeds of release; therefore,

SECTION 1. *Be it enacted, &c.*, That on payment by said Lewisburg, Centre and Spruce Creek Railroad Company of the amount of damages agreed upon for right of way, through said lands of the Union County Agricultural Society, the said Union County Agricultural Society, through its officers, shall have authority to execute and deliver, in the form usual by corporations, a deed for the lands so taken, and release for all damages, including fencing.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 323.

An Act

To prohibit the deposit of dead carcasses of horses, cattle, sheep, dogs and swine in the Delaware and Lackawaxen rivers, in the counties of Bucks, Pike and Wayne.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall not be lawful to deposit the dead carcasses of horses, cattle, sheep and swine or dogs of any kind in the Delaware or Lackawaxen rivers, or in any stream flowing into either of the same, or on the banks of said rivers and streams, in the counties of Bucks, Pike and Wayne. Deposit of carcasses, prohibited.

SECTION 2. That any person offending against the provisions of the first section of this act shall be liable to a fine of twenty dollars, to be recovered before any justice of the peace or alderman, one half of the fine to go to the constable or other persons making the information, and the other half to the proper county. Penalty.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 324.

An Act

Repealing the act approved the sixth day of May, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act modifying the first section of an act approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, relating to cattle running at large in certain townships, in Dauphin county."

SECTION 1. *Be it enacted, &c.*, That the act approved the sixth day of May, Anno Domini one thousand eight hundred and seventy-one, relating to horses and cattle running at large in certain townships, be repealed so far as relates to the township of Susquehanna, in said county.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 325.

An Act

To authorize the school directors of Derry township, Dauphin county, to pay a certain bond.

SECTION 1. *Be it enacted, &c.*, That the school directors of Derry township, Dauphin county, be and they are hereby authorized to take a sum of money, not exceeding twelve hundred dollars, out of the school fund of said township, and pay off a certain bond given to Lydia Hoover for money borrowed for bounty purposes, and which now remains unpaid.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 326.

An Act

To authorize the school directors of Elizabethtown borough, in the county of Lancaster, to borrow money exceeding five per centum of the last adjusted valuation of property, for the erection of a school house in said borough.

SECTION 1. *Be it enacted, &c.*, That the school directors of Elizabethtown borough, in the county of Lancaster, be and they are hereby authorized to borrow money, not exceeding five thousand dollars, for the erection of a school house in said borough, and to issue bonds therefor, signed by the president and treasurer, and attested by the secretary of their board, in sums of not less than one hundred dollars each, payable not more than twenty years after date, and bearing interest payable annually at a rate not exceeding eight per centum per annum; and said bonds shall be a lien upon all school property of said borough, until fully paid; said bonds to be exempt from all taxation except for state purposes: *Provided*, That before exercising the privileges granted by this act, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 327.

An Act

To enable the school directors of the Allen school district, of the Thirty-first ward, city of Pittsburg, to borrow money.

SECTION 1. *Be it enacted, &c.*, That the board of school directors of the Allen school district, of the Thirty-first ward, city of Pittsburg, be and they are hereby authorized and empowered to borrow money, to an amount not exceeding three thousand dollars, in addition to what they are now authorized to borrow by law, and to issue bonds or certificates of indebtedness for the same in sums of not less than fifty dollars, bearing interest at a rate not exceeding eight per centum per annum, the same to be executed by the president of said board, and countersigned by the secretary of said board: *Provided*, That the loan so made, shall be for the purpose of improving the property now held by said board for school purposes, and paying off the indebtedness thereon: *And provided also*, That said loan shall not be made for a longer term than ten years.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 328.

An Act

Authorizing the bracketing of Big Mill Creek, in the county of Jefferson.

SECTION 1. *Be it enacted, &c.*, That all persons navigating Big Mill creek, in the townships of Warsaw and Pine creek, in the county of Jefferson, or driving logs therein, shall have the right to bracket or raise artificial floods for the purposes of such navigation or driving, when the natural water is not sufficient, from Allen's mill to the mouth of said creek.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 329.

An Act

Declaring Little Mill creek, in Jefferson county, from Laurel run to the mouth thereof, a public highway, and authorizing the bracketing of the same.

SECTION 1. *Be it enacted, &c.*, That Little Mill creek in Warsaw and Pine creek townships, in the county of Jefferson, be and the same is hereby declared a public highway, with the right in all persons interested to navigate and drive logs down the same by brackets or artificial floods, when the natural water is not sufficient therefor, from the mouth of Laurel run to the mouth thereof, at Big Mill creek.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 330.

An Act

Authorizing the Lancaster and Fruitville Turnpike Road Company to borrow money upon bonds, and secure the same by mortgage.

SECTION 1. *Be it enacted, &c.*, That for the purpose of paying the existing debt of the said company, the Lancaster and Fruitville Turnpike Road Company be and they are hereby authorized and empowered to borrow such sum or sums of money as the said company may deem necessary, not exceeding in aggregate, the sum of three thousand dollars, and to issue their bonds therefor in sums not less than one hundred dollars each, bearing interest at the rate of seven per centum per annum, payable semi-annually through attached coupons, and to secure the loans negotiated, and accruing interest, by a mortgage on the road, estate, corporation, privileges and franchises of said company, to be executed to two trustees to be selected by the board of managers; the loans to mature at the expiration of ten years from their date of issue, and to be exempt from the payment of all taxes except for state purposes.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 331.

An Act

For the more speedy and effectual collection of taxes in Hellen township, York county Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That all the taxes hereafter levied by the board of school directors of Hellen township, in the county of York, for each and every school year, shall be paid by the persons so taxed to the treasurer of the school fund of said township; those persons paying their taxes on or before the fifteenth day of November, of each school year, to be allowed by the treasurer an abatement of three per centum on the amount of their tax, and on all school taxes remaining unpaid on the first day of January following, of which the treasurer shall make out a duplicate, and upon which the president of the board of school directors shall issue his warrant to the constable of the township, and if there is no constable, then to one of the supervisors of the township, who shall proceed to collect the same within thirty days from the date of such warrant, together with such amount of costs as are now allowed by law to constables for the collection of debts under levy and execution, which costs shall be retained by said collector for his compensation; such constable or supervisor shall be liable, under his official bond, for the performance of his duty as collector, the same as for any other official duty appertaining to his office.

Collection of school taxes, relative to.

SECTION 2. It shall be the duty of the treasurer of the school fund of said township, immediately after the passage of this act, and on the last Saturday of December next, and on the same day in each and every year thereafter, after giving ten days' previous public notice of the time and place, in said township, by ten or more written or printed notices, that he will on said day receive sealed proposals for the collection of state and county taxes in said township, which proposals must state the rate per cent. at which such person or persons will collect said taxes; the treasurer shall, within three days after receiving said proposals, open the same, and make out a duplicate of the names and rate per cent. of the persons so proposing, (rejecting all bids over four per cent.,) and make report of the same to the county commissioners, who are hereby required to appoint the lowest responsible bidder collector of county and state taxes; and any person proposing for the collection of taxes, who shall receive the appointment of collector, and shall fail or neglect, for more than ten days after receiving notice of his appointment, to give unto the county commissioners the security now required by law for the true and faithful performance of his duty, shall be subject to the payment of a fine of fifty dollars, to be collected as fines and forfeitures are by law now collectible; all laws inconsistent herewith be and the same are hereby repealed.

Collection of state and county taxes, relative to.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 332.

A Supplement

To an act to incorporate the Lancaster County Society for the prevention of cruelty to animals, approved March seventh, Anno Domini one thousand eight hundred and seventy-two.

Fines and penalties imposed under act of incorporation, payable to society.

SECTION 1. *Be it enacted, &c.,* That all fines and penalties imposed by any alderman or magistrate within the county of Lancaster, under the provisions of an act, entitled "An Act for the punishment of cruelty to animals in this commonwealth," approved March twenty-ninth, Anno Domini one thousand eight hundred and sixty-nine, and the supplements thereto, shall be payable to and accrue to and for the benefit of the Lancaster County Society for the prevention of cruelty to animals.

Policemen and constables to make arrests for violation of laws.

SECTION 2 Any policemen or constable of the city or county of Lancaster, or any agent or representative of the Lancaster County Society for the prevention of cruelty to animals, shall upon his own view of any violation of any law of this commonwealth for the prevention of cruelty to animals, or upon the complaint of any other person who may declare the name and abode of any person violating said law to such policeman, constable or agent, make arrests and bring before any alderman or magistrate of the said city or county of Lancaster such offenders.

Repeal.

SECTION 3. That all acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 333.

An Act

Extending the provisions of an act to prevent horses, cattle, mules, sheep and hogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county, to the county of Mercer.

Act extended to.

SECTION 1. *Be it enacted, &c.,* That the provisions of an act, entitled "An Act to prevent horses, cattle, mules, sheep and hogs from running at large in Venango township, Erie

county, and Little Beaver township, Lawrence county," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven, be and the same is hereby extended to the county of Mercer: *Provided*, That this act shall not go into effect until the first day of April, one thousand eight hundred and seventy-three: *And provided further*, That this act shall not interfere with the running at large of one milch cow owned by any person or persons in the said county of Mercer.

SECTION 2. All acts or parts of acts inconsistent herewith are hereby repealed, so far as they relate to the county of Mercer. Repeal.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 334.

An Act

To change the venue in certain actions of ejectment from Schuylkill to Columbia county.

SECTION 1. *Be it enacted, &c.*, That certain actions of ejectment, in which George K. Tyron and James J. Dull are plaintiffs against William Gamble, Charlemagne Tower, Samuel A. Munson, James Watson Williams and Helen E. M. Williams, Christian Schach, Charlemagne Tower, Samuel A. Munson, James Watson Williams and Helen E. M. Williams, Josiah Hand, Charlemagne Tower, Samuel A. Munson, James Watson Williams and Helen E. M. Williams, William Clarke, Charlemagne Tower, Samuel A. Munson, James Watson Williams and Helen E. M. Williams, Martin Lubold, Charlemagne Tower, Samuel A. Munson, James Watson Williams and Helen E. M. Williams, and Jacob Brown, Charlemagne Tower, Samuel A. Munson, James Watson Williams and Helen E. M. Williams, to March term, eighteen hundred and sixty-seven, of the court of common pleas for the county of Schuylkill, being numbered respectively seven hundred and fifty-three, seven hundred and fifty-four, seven hundred and fifty-five, seven hundred and fifty-six, seven hundred and fifty-seven, and seven hundred and fifty-eight, be and the same are hereby removed and transferred from the said court to the court of common pleas of Columbia county, where the same shall be tried; and a verdict and judgment thereon shall have the same force and effect as if the said action had been tried in the court of common pleas of Schuylkill county; and the record and all papers in said case shall be certified and transferred to the said court of common pleas of Columbia county, by the prothono-

tary of the court of common pleas of Schuylkill county ; and all such writs as shall be necessary shall be issued out of the court of common pleas of Columbia county, directed to the sheriff of the court of common pleas of Schuylkill county, with the same effect as suits of the same nature, issued out of the court of common pleas of Schuylkill county : *Provided*, That the said cases shall be subject to writs of error by either party, the same as if tried in Schuylkill county.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 335.

An Act

Relating to the collection of the school tax in Killbuck township, Allegheny county.

School treasurer authorized to collect taxes.

Abatements.

To give security.

Compensation.

Unpaid taxes to be placed in hands of collector.

Addition to taxes of delinquents.

SECTION 1. *Be it enacted, &c.*, That the treasurer of the school board of Killbuck township, Allegheny county, be and is hereby authorized to collect the school taxes of said township, and to allow five per centum deduction to each tax-payer on the amount of his tax if paid before the first day of October.

SECTION 2. That the school board of said township shall require the treasurer to give bond with good sureties in such sum as they may deem sufficient to cover all moneys that may come into his hands, and also may allow him such compensation as they may think just for his services in collecting the taxes, not exceeding three per centum on the amount he may collect.

SECTION 3. All taxes not paid to the treasurer by the first of October, each year, shall be placed in the hands of a collector to be appointed by the board, and an addition of five per centum shall be added to the tax of each tax-payer who may not pay the same before the first of January following, and ten per centum on all not paid after January first, and this additional five per centum shall be the compensation of the collector.

APPROVED—The 18th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 336.

An Act

To annul the marriage contract between DeWitt Clinton Ryder and Hannah D. Ryder, his wife.

WHEREAS, Hannah D. Ryder of the city of Philadelphia, and state of Pennsylvania, has presented her petition to the senate and house of representatives of this commonwealth, praying that the marriage contract entered into between the said petitioner and DeWitt Clinton Ryder, on the ninth day of April, one thousand eight hundred and sixty-nine, should be annulled and made void :

And whereas, The reasons set forth in said petition are sufficient to entitle the said petitioner to have the said marriage declared null and void :

And whereas, The courts of this commonwealth are not empowered to decree a divorce for the cause set forth in her said petition ; therefore,

SECTION 1. *Be it enacted, &c.,* That the marriage contract entered into between DeWitt Clinton Ryder and Hannah D. Miller, now Hannah D. Ryder, his wife, of the city of Philadelphia, on the ninth day of April, one thousand eight hundred and sixty-nine, be and the same is hereby made null and void, and the said parties be and they are hereby released, set free and discharged from said contract, and from all duties and obligations arising therefrom, as fully, effectually and absolutely as if the said contract had never been entered into.

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 337.

An Act

Relative to the issue of bonds and funding the debt of the city of Scranton.

SECTION 1. *Be it enacted, &c.,* That in case seventy-five thousand dollars of city bonds authorized by "A further supplement to an act to incorporate the city of Scranton," approved May seventh, Anno Domini one thousand eight hundred and seventy, is not sufficient to fund the floating debt, and for constructing a city hall, jail, lock-up, station houses and other buildings necessary for the use of said city, then

Bonds necessary to fund debt and erect build'ings, may be issued.

Limitation.	such an amount may be issued as shall be necessary: <i>Provided</i> , The amount issued for constructing a city hall and other buildings necessary for the use of said city, shall not exceed seventy-five thousand dollars: <i>And provided further</i> , That the floating debt authorized to be funded by said act, shall be restricted to outstanding city orders issued before the first day of April, Anno Domini one thousand eight hundred and seventy-three.
Restriction.	
How bonds may be sold.	SECTION 2. That all the bonds authorized to be issued by said act may be sold in such manner as the commissioners of said city shall direct, and it shall be their duty to appropriate annually a separate column in the tax duplicates of said city, or separate duplicates for the tax necessary to be assessed, to pay the interest for the current year on all outstanding bonds, which shall be collected in money, and deposited as often as once a week to the credit of said city in such bank as said commissioners shall direct: <i>Provided</i> , The bonds issued as authorized by said act of May seventh, Anno Domini one thousand eight hundred and seventy, shall be exempt from taxes in same manner as the bonds authorized for public buildings in the act incorporating said city, and shall be a legal investment for all moneys held by any person or corporation in trust or in a fiduciary capacity.
Tax to pay interest on bonds, to be collected and deposited weekly.	
Bonds exempt from taxation.	
Legal investment for trust funds.	

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 338.

A Supplement

To an act, entitled "An Act to incorporate the Arsenal Bank of the city of Pittsburg," approved the twentieth day of March, Anno Domini one thousand eight hundred and seventy-two.

Increase of capital stock authorized.	SECTION 1. <i>Be it enacted, &c.</i> , That in addition to the powers heretofore granted to the Arsenal Bank of Pittsburg, by the act to which this is a supplement, that it shall be lawful for the directors of said bank to increase the capital stock thereof to an amount not exceeding in the aggregate twenty-five thousand dollars: <i>Provided</i> , That such increase shall in no way interfere with or impair the authority of the directors of said bank to increase the capital stock thereof, from time to time, in the mode and manner prescribed by the act incorporating the same.
Purchase or discount of bills of exchange, &c.	SECTION 2. Nothing contained in the act to which this is a supplement shall be construed as preventing said Arsenal Bank from purchasing or discounting any bill of exchange, foreign or domestic, promissory note or other obligation or

security at such legal rate of interest or discount as may be agreed upon.

SECTION 3. No stockholder shall be ineligible to the office of director by reason of being a stockholder or director in any other bank or banking institution. Eligibility to office of director.

SECTION 4. The corporate powers and authority vested in said Arsenal Bank of Pittsburg by the act incorporating the same, approved the twentieth day of March, Anno Domini one thousand eight-hundred and seventy-two, are hereby ratified and confirmed, and shall not be deemed or taken to be impaired in any way by reason of the non-acceptance thereof by the stockholders of said bank or otherwise, and the same are hereby declared to be in full force and effect: *Provided*, That said bank shall within six months from this date, hereof except the same, and elect a board of directors to serve until their successors are elected, as provided in the act to which this is a supplement. Powers vested in bank by act of incorporation, confirmed. Proviso.

SECTION 5. The board of directors shall hereafter consist of twelve members instead of nine, as heretofore provided. Number of directors.

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 339.

An Act

To authorize the city of Lancaster to increase the corporate debt of said city for the purpose of improving the water works, for the erection of a new market house, and for opening and widening certain alleys in said city.

SECTION 1. *Be it enacted, &c.*, That the city of Lancaster be and is hereby authorized and empowered to increase the corporate debt of the said city, in any sum or sums of money, not exceeding one hundred and eighty thousand dollars; one hundred thousand dollars thereof for the purpose of laying a new main from the water works to the reservoir, and for further improving the water works of said city, including a Cornish engine if necessary; sixty thousand dollars thereof for the purpose of erecting a new building on the site of the present market house of the said city for market and other city purposes, and twenty thousand dollars thereof for the purpose of opening and widening certain alleys in said city; and to issue therefor bonds or certificates of indebtedness in such amounts, and payable at such times and at such rates of interest as the councils of said city may deem proper: *Provided*, That the said bonds and certificates of indebtedness shall be exempt from all taxation except for state purposes. May increase corporate debt. Issue bonds. Exempt from local taxation.

Certain of the
bonds to be known
as market bonds.

Revenue derived
from market to be
pledged to pay-
ment of same.

Council to provide
for sinking fund.

SECTION 2. The bonds and certificates of indebtedness to be issued, under the authority of the first section of this act, for the purpose of erecting a new building for market and other city purposes, shall be known as market bonds and market certificates of indebtedness; the net revenue to be derived from said market shall be pledged to the payment of the principal and interest of said bonds and certificates of indebtedness, and shall not be appropriated to any other purpose whatever until they shall have been fully paid; and it shall be the duty of the councils of the said city of Lancaster, to make provision by ordinance for a sinking fund to secure the appropriation of the revenue aforesaid to the payment of said bonds and certificates of indebtedness.

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 340.

An Act

Legalizing the election of street commissioners for Carson, Main and Chestnut streets, in the city of Pittsburg, Allegheny county.

Preamble.

WHEREAS, James I. Bennett, Park Painter and B. C. Sawyer have been elected commissioners under the Penn avenue act, for the grading and paving of Carson, Main and Chestnut streets, in the city of Pittsburg, and are not citizens of said city as required by section one of said act, but are holders of property on said streets and largely interested in the same; therefore,

Qualified to serve
as commissioners.

SECTION 1. *Be it enacted, &c.,* That James I. Bennett, Park Painter and B. C. Sawyer are and shall be, from and after the passage of this act, qualified and enabled to serve as commissioners for the grading and paving of Carson, Main and Chestnut streets, in the city of Pittsburg.

Repeal.

SECTION 2. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 341.

A Further Supplement

To an act concerning streets and sewers in the city of Pittsburg, authorizing the councils of said city to open and grade streets, lanes and alleys, or parts thereof, when necessary for the purpose of laying water pipes.

SECTION 1. *Be it enacted, &c.*, That the select and common councils of the city of Pittsburg are hereby authorized, whenever, in the opinion of councils, it shall be necessary for the purpose of laying water pipes, to declare open and cause to be graded any street, lane or alley, or part thereof, which is now or hereafter may be located; and that the damages and benefit caused by opening and the cost of grading, shall be assessed and collected in the same manner as is now provided by law in the case of opening and grading streets in said city of Pittsburg: *Provided*, That in case of an appeal from the report of viewers on the opening of any street, lane or alley, the same shall not prevent said city from proceeding forthwith to grade said street, lane or alley; but in such case it shall be the duty of said city to file in the office of the clerk of the court of quarter sessions, the bond of said city, in such amount as may be fixed by said court, conditioned to indemnify and save harmless the parties appellant from all loss or damages by reason of the city proceeding to grade said street, lane or alley before said appeal shall have been finally disposed of.

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 342.

An Act

Confirming the appropriations made by the councils of the city of Pittsburg, for the years one thousand eight hundred and seventy-one, one thousand eight hundred and seventy-two, and one thousand eight hundred and seventy-three, and fixing the time for making the annual appropriation.

SECTION 1. *Be it enacted, &c.*, That the annual appropriations made by the select and common councils of the city of Pittsburg, for the years one thousand eight hundred and seventy-one, one thousand eight hundred and seventy-two, and one thousand eight hundred and seventy-three, in the

Appropriation legalized.

month of January in each of said years, be and the same are hereby legalized and declared to have the same force and effect as if made in the month of February, required by an act to limit the indebtedness and to provide for the gradual extinguishment of the debt of the city of Pittsburg, and for the improvement of the streets, lanes and alleys of said city, approved sixth April, one thousand eight hundred and fifty.

Time for making
appropriations
fixed.

SECTION 2. That the councils of the said city of Pittsburg shall hereafter make the appropriations during the month of January or February, in each and every year, in the manner prescribed by the said act of April sixth, one thousand eight hundred and fifty.

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 343.

A Supplement

To an act to provide for the extension of the water works of the city of Pittsburg, approved March fifteenth, Anno Domini one thousand eight hundred and seventy-one, authorizing the city of Pittsburg to issue bonds and borrow money.

Authorized to bor-
row money and
issue bonds.

SECTION 1. *Be it enacted, &c.,* That the city of Pittsburg for the purpose of constructing basins, buildings and machinery, and for laying water pipes to furnish a full and ample supply of water to accommodate the present and future growth and extension of said city and neighborhood, shall be and is hereby authorized to borrow money and issue bonds as provided by an act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act to authorize the city of Pittsburg to borrow money," approved the twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-eight, in addition to the amount heretofore authorized and upon like terms and conditions, not exceeding two million five hundred thousand dollars.

Councils to levy
"water works in-
terest and sinking
fund tax."

SECTION 2. That whenever it may be necessary, from time to time, the councils of the city of Pittsburg shall levy and assess a tax on all property, trades and occupations in said city now by law taxable for state, county and city purposes, to be denominated "a water works interest and sinking fund tax," for the express and exclusive purpose of providing the means for paying the interest and establishing the sinking fund required for the extinguishment of the bonds issued by virtue of this act; said tax shall be entered on the tax duplicates of said city in a separate column headed "water works interest and sinking fund," and shall be collected at such time or times as the councils of said city shall provide; and all laws now

in force relating to the collection and lien of taxes in said city of Pittsburg not inconsistent herewith shall be applicable to the taxes levied under this act; the taxes when collected shall be kept by the controller of the said city separate and apart from all other funds of said city, and denominated "the water works interest and sinking fund," and shall be appropriated to the purposes herein set forth and no other, and shall be drawn from the treasury in the same manner as other moneys are drawn therefrom: *Provided*, That nothing herein contained shall be construed to in anywise affect the provisions of the fourth section of the said act of February twenty-eighth, one thousand eight hundred and sixty-eight.

To be kept separate from other funds.

How to be appropriated.

SECTION 3. The bonds issued in pursuance of this act shall be a legal investment for all moneys held by any person or corporation in a fiduciary capacity.

Bonds a legal investment for trust funds.

SECTION 4. That the said city shall have the power in issuing the bonds authorized by this act, by resolution of the councils thereof, to make the same either registered or coupon bonds, and the coupon bonds so issued; and all other coupon bonds heretofore issued for the extension and improvement of the water works, shall be exchangeable for registered bonds of like amount, upon presentation by the holder to the city controller; and the councils of said city are hereby authorized to make the interest on said bonds payable in the city Philadelphia.

May make bonds either registered or coupon.

Coupon bonds exchangeable for registered.

Council may make interest payable in Philadelphia.

SECTION 5. That on the passage of this act it shall be the duty of the city treasurer to appoint a bond clerk, at a salary not exceeding two thousand dollars (\$2,000) per annum, whose duty it shall be to keep a full and correct record of all bonds issued by the city of Pittsburg; the salary of said bond clerk to be paid as other city officers' salaries are now paid.

Treasurer to appoint bond clerk. Salary.

Duty.

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 344.

An Act

Supplemental to an act, entitled "An Act to vacate Chester street, in the borough of Norristown, Montgomery county."

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act to vacate Chester street, in the borough of Norristown, Montgomery county," approved the third day of April, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby repealed, except so far as it applies to said Chester street, from the south-west side of Washington street to the river Schuylkill, and the remainder of said Ches-

ter street, extending from the south-west side of Washington street to the turnpike, shall henceforth be deemed and held to be a public street as fully as before the passage of said act which shall be deemed and held a public street, as fully as before the passage of said act, and shall be opened to the width of sixty feet, from the east side of said Chester street, as heretofore laid out.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 345.

An Act

Authorizing the councils of the city of Allegheny to issue bonds for the purchase of the gas works in said city.

SECTION 1. *Be it enacted, &c.*, That the councils of the city of Allegheny, in case they shall purchase the gas works in said city, are hereby authorized to issue bonds of said city to an amount sufficient to cover the cost thereof; said bonds shall be designated gas bonds, shall be redeemable in twenty years from their date, shall bear interest at the rate of seven per cent. per annum, and shall be of such denominations as said councils may direct, and the faith, credit and corporate property of said city shall be pledged for the payment thereof with their interest as aforesaid.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 346.

An Act

To authorize the city of Pittsburg to borrow money for the purpose of extending its fire department.

SECTION 1. *Be it enacted, &c.*, That the city of Pittsburg be and is hereby authorized to borrow a sum of money, not exceeding two hundred thousand dollars, (\$200,000,) to be used for the purpose of improving and extending the fire department of said city, and for no other purpose whatever.

Authorized to
borrow money.

SECTION 2. That the city of Pittsburg shall be and is hereby authorized to issue registered bonds, for the payment of any sums of money which may be borrowed in pursuance of this act, in sums not less than one thousand dollars, bearing interest at a rate not more than seven per centum per annum, to be executed in such form and in such manner as councils may by ordinance direct: *Provided however*, That none of said bonds shall be sold for less than the par value thereof: *And provided further*, That all bonds issued in pursuance of this act shall be exempt from taxation for state, county or city purposes.

Issue registered bonds.

Not to be sold for less than par.

Exempt from taxation.

SECTION 3. That the loan authorized by this act shall be known as the fire department loan, and all bonds issued in pursuance hereof shall be kept separate and apart from all other indebtedness of said city.

What loan to be known as.

Bonds to be kept separate.

SECTION 4. That the bonds issued in pursuance of this act shall mature in twenty years from the first day of April, Anno Domini one thousand eight hundred and seventy-three.

When to mature.

SECTION 5. That the interest on the bonds issued in pursuance of this act shall be paid semi-annually in the city of Pittsburg or the city of Philadelphia, as the holders of the bonds may elect.

How and when interest to be paid.

SECTION 6. That the councils of the city of Pittsburg shall annually, at the time other appropriations are made, appropriate out of the revenue of said city, a sum sufficient to pay the interest accrued or to accrue during the year, upon all outstanding bonds, and a further sum of not less than five per centum of all bonds which may have been issued in pursuance of this act, to be set apart as a sinking fund for the extinguishment of said indebtedness.

Council to appropriate money to pay interest and form sinking fund.

SECTION 7. That the controller of the said city, shall, in the month of November of each year, give public notice for at least ten days by advertisement in the newspapers authorized to do the city printing, and one daily paper published in the city of Philadelphia, of the amount of money in the sinking fund herein provided, and that he will on the first day of December following, pay such bonds, (issued under this act,) as may be presented in the order of their presentation; if the number of bonds presented shall not be sufficient to exhaust the said fund, the balance shall be kept in said fund for the purpose of paying any of said bonds that may be presented thereafter.

Controller to give notice of money in sinking fund and time when bonds will be paid.

SECTION 8. That the bonds issued in pursuance of this act shall be disposed of by the city controller and city treasurer, under the direction of the finance committee of the councils of said city, and shall be issued in such denominations as said committee may direct.

How bonds to be disposed of, &c.

SECTION 9. The bonds issued in pursuance of this act shall be a legal investment for all moneys held by any person or corporation in a fiduciary capacity.

A legal investment for trust funds.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 347.

An Act

To incorporate the Hazleton and Jeansville Passenger Railway Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Frederick Lauderburn, Clarence Longshore, William Kisner, A. S. Orr, J. W. Hess, their associates, successors or assigns, or a majority of them, be and hereby are constituted a body politic and corporate by the name, style and title of the Hazleton and Jeansville Passenger Railway Company, and by that name shall have perpetual succession, and all the privileges and franchises incident to a corporation.

Title.

Privileges.

Construction of railroad authorized.

SECTION 2. That the said company shall have the right to lay out and construct a railroad, to be operated by horse power, with one or more tracks, from any point on the line of the Susquehanna and Lehigh turnpike, in the township of Hazle, in the county of Luzerne, and state of Pennsylvania, to any point in the borough of Hazleton, and thence to any point in the town of Jeansville, by any route between the said points that may be deemed advisable, and to make from time to time one or more branches from any point or terminus not exceeding five miles in length and the said company shall have the right to occupy at any time as many of the streets in the borough of Hazleton, as may be desirable, by and with the consent of the burgess and common council, or any road along said route; and the said company in constructing their said railroads, shall conform to the grades of the several streets, and shall keep so much of said streets or roads in perpetual repair as shall be used by said company.

Branches.

May occupy streets or roads.

To conform to grades, &c.

May cross railways at grade, use bridges, &c.

SECTION 3. That the said company shall have the right to cross with their tracks, at grade, any railway now constructed, or that may hereafter be constructed, and make use of any public bridge, or the sides or centre of any public road, and the said company shall have the power to construct such turn-outs and switches as may be necessary.

Right to carry passengers and establish charges.

Purchase real estate, erect buildings, &c.

SECTION 4. That the said company shall have the right to convey passengers over the route of their road, and establish such a reasonable tariff of charges as they may in their by-laws provide; and the said company shall have the right to purchase such real estate, and erect thereon such buildings and improvements, and purchase cars, horses and equipments, as may be deemed necessary and convenient for the conveyance of passengers on their said railroad.

Capital stock.

SECTION 5. That the capital stock of the said company shall consist of one thousand shares of fifty dollars each, with the privilege of increasing the same from time to time, as the directors may determine, not exceeding one hundred thousand dollars; and the said company shall also have the right to borrow money to an amount, which with the capital

stock subscribed, will equip and complete the said railroad, and to issue bonds, with or without coupons, in sums not less than one hundred dollars, payable at such times, and on such terms, and at such rates of interest as they may deem proper, not exceeding eight per cent. per annum, and may secure the payment thereof, by a mortgage or mortgages upon said railroad, its proper tolls and franchises or any part thereof or its branches, and may issue a preferred stock subject to such terms and such conditions as the directors and purchasers may agree upon.

May borrow money
and issue bonds.

Issue preferred
stock.

SECTION 6. That the corporators named in this act, or a majority of them, shall elect persons to serve as directors of the company, of such number and at such times as they may deem proper, who shall hold their office until their successors are elected in accordance with the by-laws; and the directors shall annually elect a president, secretary, treasurer, and such other officers of the company from their number as they may deem expedient and necessary.

Directors.

President and
other officers.

SECTION 7. That the said company shall have power to make such by-laws, ordinances and regulations as they may deem suitable and necessary to carry out the objects of the corporation and the government of the same, and the same to alter, amend, add to or repeal at their pleasure, and to adopt a common seal and to alter the same: *Provided*, That the said by-laws, ordinances and regulations shall not be contrary to the constitution and laws of the commonwealth of Pennsylvania and of the United States.

By-laws, ordi-
nances and regula-
tions.

SECTION 8. That at all elections and general meetings of the stockholders of the said company, each stockholder may, in person or by proxy, cast one vote for each share of the capital stock by such stockholder then held and owned, and for which he shall hold a certificate of the company.

Votes.

SECTION 9. That when all damages cannot be agreed upon by said company, and the owners of lands and materials along the line located for the said railroad, the same shall be settled in the manner provided by the act regulating railroads and the supplement thereto.

Damages.

SECTION 10. That the said company shall make the same reports and pay the same taxes to the Commonwealth as if incorporated under the general railroad law.

Reports and taxes.

SECTION 11. That any incorporated company shall have power to subscribe to the stock of the said company, or to purchase or endorse the bonds of the said company, and shall be represented at the meetings and elections of the said company by such persons as may be designated by the governing power of such subscribing or endorsing corporations.

Corporations may
subscribe to stock
or purchase bonds.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 348.

An Act

Supplementary to the charter of the West Hazleton Building and Land Association, of the town of West Hazleton, in the county of Luzerne.

Preamble.

WHEREAS, The West Hazleton Building and Land Association was incorporated and made a body politic in law by the court of common pleas of Luzerne county, at February term, Anno Domini one thousand eight hundred and seventy-two, under the acts of assembly giving the courts of the commonwealth power to erect saving fund societies and building associations into corporations :

And whereas, The said association has been organized under said charter, and is now desirous of possessing certain additional rights, powers and franchises, which the said court had not the power under the laws to grant ; therefore,

Charter validated.

SECTION 1. *Be it enacted, &c.,* That the charter of the West Hazleton Building and Land Association, as granted by the court of common pleas of Luzerne county, at number two hundred and fifty-two, of February term, Anno Domini one thousand eight hundred and seventy-two, recorded in the recorder's office of said county, in deed book number one hundred and fifty seven, (157,) page seventeen, et cetera, (17,) is hereby validated and confirmed, except as hereinafter amended ; and the said the West Hazleton Building and Land Association is hereby declared to be a corporation and body politic in law, and to be possessed of all and singular the rights, incidents and franchises of a corporation.

Declared a body politic.

Investment of funds, &c.

SECTION 2. That the said association may invest its funds in real estate, the clear yearly income of which shall not exceed twenty thousand dollars, and shall have power to improve the same by the erection of buildings and otherwise, and may lease, grant, bargain, sell, dispose of and convey the same to members and others, as the board of directors may deem advisable for the interests of the association.

Election of directors.

SECTION 3. That at the first election of directors after the passage of this act the stockholders shall elect nine directors, three of whom shall be elected for one year, three for two years and three for the term of three years, and annually thereafter, three persons shall be elected directors, who shall hold their offices for three years, and until their successors are duly elected and qualified ; and in case of the death or resignation of a director, the remaining directors shall fill the vacancy so occasioned by appointment ; and at all meetings of the stockholders of the said association each stockholder shall cast one vote for each share of stock by him or her held

Vacancies.

Votes.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 349.

An Act

To enable the qualified electors of the borough of North Chester to vote upon the question of local option.

SECTION 1. *Be it enacted, &c.*, That the qualified electors of the borough of North Chester, in the county of Delaware, may and they are hereby authorized, at the election upon the question of local option to be held on Friday the twenty-first day of March, Anno Domini one thousand eight hundred and seventy-three, vote upon the said question at the usual places of voting prior to the passage of the act incorporating said borough, and in the same manner as though said act of incorporation had not been passed.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 350.

A Further Supplement

To an act, entitled "An Act concerning streets and sewers in the city of Pittsburg."

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the councils of said city in any ordinance for the opening, widening or straightening of any street within said city, or which may be a boundary thereof, to designate a time within which the same shall be opened for public use, not less than sixty days after the passage of said ordinance; and upon the passage of said ordinance it shall be the duty of the city engineer to cause notice of said opening, to be given to each of the owners of property through which said street runs of the time when the same will be opened, which notice shall be served at least thirty days before the time designated, in the same manner that notices of assessments are required to be served by existing laws; and after the expiration of said time it shall be lawful for the city authorities to take possession of, open, widen, straighten, grade, pave and otherwise improve the same as in other cases of public streets; and where councils have heretofore ordered the opening, widening, straightening, grading, paving and curbing or otherwise improving of streets, such action is hereby legalized and made valid, and the proper officer or commissioners having charge of such improvement shall be authorized on thirty (30) days' notice

Councils may designate time within which streets shall be opened, &c.

Engineer to notify property owners.

After expiration of time, authorities may take possession, &c.

Cases where councils have heretofore ordered street improvements.

as hereinbefore provided, to take possession of the property necessary for such improvement and proceed with the work: *Provided*, That councils shall adopt an ordinance for the opening, widening or straightening of the same if such ordinance shall not have been already passed, and the viewers of street improvements shall assess the damages and benefits therefor as of the date of the actual opening by said city, if said assessments have not heretofore been made and approved: *Provided also*, That in case possession shall be taken as aforesaid before the assessments of damages and benefits for said opening shall have been made and approved, it shall be the duty of said city to file in the office of the clerk of the court of quarter sessions, the bond of said city, in such amount as may be fixed by said court, conditioned to indemnify and save harmless all the parties who may be damaged from all loss or damages by reason of the opening, widening or straightening said city as aforesaid, with provision that said bond shall become void on the final confirmation of the report of viewers on said street improvement, and the payment of all damages therein assessed: *Provided further*, That this section shall not apply to Forty-fourth street and that portion of Tustin street now graded and paved.

When appraisements of damages and benefits to be dated.

SECTION 2. That when the time for opening, widening or straightening any street shall be designated in the ordinance for the opening of the same, the viewers to assess the damages and benefits for the same shall, in making their appraisements, value the property taken as of the date fixed in the ordinance for the opening, widening or straightening thereof, as provided for in this act.

May use lands abutting on streets for construction of embankments, &c.

SECTION 3. That the city of Pittsburg in grading any street, lane or alley, or any part thereof, shall be and is hereby authorized and empowered to use so much of the lots and land abutting on the same for the construction of embankments, slopes and culverts as may be necessary and proper for the completion of the improvements; and the damages resulting thereby, shall be regarded as other damages caused by grading or re-grading streets in said city, and assessed and collected in the same manner, and subject to all the provisions of the act of assembly relating thereto.

Damages,

What plans for opening streets, &c., to show.

SECTION 4. That the plans for the opening of streets, lanes and alleys, and the damages caused by grading or re-grading thereof, or for the cost of constructing sewers in said city of Pittsburg, shall not be required to show more than one hundred and twenty feet in depth of the property assessed where the same abuts upon any street of said city, opened or located, nor shall the same be required to show the improvements on property so abutting.

When cost of grading and paving to be assessed and paid.

SECTION 5. That hereafter it shall be the duty of the engineer, upon the letting of any contract for grading or paving, to assess fifty per cent. of the cost thereof, which shall be payable within thirty days from the commencement of the work, and the remainder of the cost thereof shall be assessed at the completion of the works; both of said assessments shall be collected, and liens therefor shall be filed and proceeded on as now provided by law.

SECTION 6. That no ordinance for any improvement and no report of viewers shall be finally acted upon by both branches of the councils until at least one week after its presentation and publication in official papers authorized to do the city printing.

When ordinances for improvements, and reports of viewers, to be finally acted on.

SECTION 7. That in all cases of appeals from assessments for improvements in said city, the court of quarter sessions shall be authorized to pass upon the powers of councils in the matter and the regularity of the proceedings in the councils, and before the viewers; and the final action of councils, if there be no appeal, and of the said court in cases of appeal, shall be final and conclusive; and in all cases heretofore acted upon in which there has been no appeal from the action of councils, or in which the court has made a final decree, said proceedings shall be held to be legal and binding upon all persons interested, except as to such persons as may have heretofore legally asserted their rights, in which case the same shall be proceeded in and determined according to law.

Powers of quarter sessions on appeals from assessments.

Final action conclusive.

Former cases not appealed from, or in which final decree is made, binding.

SECTION 8. That the board of viewers of street improvements in the city of Pittsburg, shall be appointed during the month of January in each year, and shall hold office for one year, dating from the first day of February following, unless sooner removed in accordance with the act of assembly, entitled "An Act concerning streets and sewers in the city of Pittsburg," approved thirteenth May, one thousand eight hundred and seventy-one, and in case of removal, the appointment shall be made for the unexpired term of the person so removed.

When board of viewers of street improvements to be appointed.

Term of office.

Appointment in case of removal.

SECTION 9. That all writs of *scire facias* upon municipal claims of said city may be made returnable to the monthly return day, and all writs heretofore returnable, and the proceedings thereon are hereby made legal and valid; and any provisions of any act of assembly, requiring the writs to be issued fifteen days before the return day, shall not apply to writs issued upon such claims.

Return of writs of *scire facias* upon municipal claims.

Certain provisions not applicable to writs issued upon such claims.

SECTION 10. That for the purpose of securing a more efficient drainage of the city of Pittsburg, the select and common councils thereof, shall have the power by special or general ordinance, to direct and require the owner or owners of all lots of ground fronting or abutting on any street, lane or alley in said city, in which there has been or may hereafter be constructed a public sewer opposite such lot, to construct at his, her or their own cost an underground sewer, connecting such lot or lots of ground with such public sewer of the size, in the manner, in the place and out of the material the said councils shall by ordinance prescribe.

Councils may order lot owners to construct connecting sewers.

SECTION 11. That upon the failure of the owner or owners of any lot or lots of ground, to construct the connecting sewer aforesaid, in accordance with the rules and regulations established by the councils of said city, then the same may be constructed by the city authorities, and the cost thereof, together with six per centum advance, shall be collected in the same manner as is now provided by law for the collection of the expense incurred in paving and curbing side-walks in said city of Pittsburg.

Upon failure to construct, council may perform work and collect cost thereof.

May construct
sewers through
private property.

SECTION 12. That said city shall have power when necessary in the construction of sewers, to lay the same through private property, and the damages, if any, shall be included in and assessed as a part of the cost and expense of the sewer.

Cases of previous
contracts by bor-
oughs lately con-
solidated with
city.

SECTION 13. That where contracts had been entered into by any of the boroughs consolidated with the said city of Pittsburg, by the act of assembly approved second April, one thousand eight hundred and seventy-two, for the grading, paving and curbing, or otherwise improving streets therein, and not completed, and the cost thereof assessed at the date of consolidation under said act, such contracts shall be carried out, and the cost of the improvement assessed and collected in the manner prescribed in the laws for street improvements in the said respective boroughs in the name of and by the said city of Pittsburg.

How cost of grad-
ing, &c., in Twen-
ty-eighth and
Twenty-ninth
wards to be assess-
ed and collected.

SECTION 14. That the cost of grading, paving and curbing streets or alleys or parts thereof, now opened in the Twenty-eighth and Twenty-ninth wards of said city of Pittsburg, shall be assessed and collected in the manner directed by the laws relating to streets in the late borough of Birmingham, the said city of Pittsburg, assuming the position and exercising the powers and discharging the duties therein conferred upon and required of the said late borough of Birmingham: *Provided*, That all assessments not made before the first day of January, one thousand eight hundred and seventy-six, by virtue hereof, shall be made and collected in accordance with the laws in relation to streets in the city of Pittsburg: *And provided further*, That the assessments of taxes for the payment of the bonds issued in accordance with the requirements of the late borough laws, shall be confined to the territory in said late borough of Birmingham, now Twenty-eighth and Twenty-ninth wards of said city of Pittsburg.

How assessments
not made before
1876, to be made.

Assessments of
taxes to pay bonds
issued under bor-
ough laws.

Construction of
bridges and cul-
verts, relative to.

SECTION 15. That whenever councils shall have ordered, or shall hereafter order the grading, or re-grading, paving and curbing of any street, lane or alley, or part thereof, and any bridge or culvert shall be necessary or proper in said improvement, the same shall be constructed without any special ordinance therefor by the city engineer or commissioners of the street improvements as the case may be, unless a separate ordinance therefor shall have been previously adopted, and a separate account of the cost thereof shall be kept, and an assessment made in the manner provided by an act of assembly, entitled "An Act concerning streets and sewers in the city of Pittsburg," approved twenty-sixth day May, one thousand eight hundred and seventy-one: *Provided*, That in case of bridges and culverts upon streets improved under the provisions of an act, entitled "An Act to authorize the improvement of Penn avenue, and other streets and avenues in the city of Pittsburg," approved April second, one thousand eight hundred and seventy, the cost shall be a proportionate amount of the bonds issued in accordance with said act, and the assessments therefor shall be payable in ten instalments in accordance with said act and the supplements thereto.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 351.

A Supplement

To an act to incorporate the Farmers' Mutual Insurance and Protection Company of Chester county, Pennsylvania, approved the third day of April, one thousand eight hundred and seventy-two, providing for the creation of a stock department, fixing the amount of stock, changing the name and location of the company and the number of directors.

SECTION 1. *Be it enacted, &c.,* That the Farmers' Mutual Insurance and Protection Company of Chester county, Pennsylvania, be and they are hereby authorized to procure subscriptions to the capital stock of said company, to the extent of one hundred thousand dollars, in shares of fifty dollars each; and when the sum of twenty-five thousand dollars shall have been paid in on said subscriptions, they shall be authorized to open a stock department, in which they shall insure real and personal property of all descriptions against loss by fire, either perpetually, or for limited periods, in such amounts, and on such terms as the board of directors may prescribe; and the business of the stock department shall be entirely independent of and separate from the mutual department of said company, and the assets of one department shall not be applicable to the payment of losses in the other, and they shall be kept entirely separate from each other.

Authorized to procure subscriptions to stock.

Open stock department.

To be separate from mutual department.

SECTION 2. That the board of directors of said company are hereby authorized to change the name of said company to the Farmers' and Merchants' Insurance Company of Pennsylvania; and the principal office of said company may be in the city of Philadelphia, with a branch office in the county of Chester, and with agencies at such points as they may deem necessary for the transaction of their business.

Directors may change name.

Offices and agencies.

SECTION 3. That said company may increase their capital stock to five hundred thousand dollars, at any time they may consider such increase necessary, on which twenty-five per cent. shall be paid when the subscriptions is made, and the balance in instalments, as may be required by the regulations of the company; and it shall be lawful for said company to invest their funds in bonds and mortgages on real estate or other good securities, at legal rates of interest: *Provided*, That nothing herein contained shall be so construed as to confer banking privileges on said company.

May increase capital stock.

Payment of subscriptions.

Investment of funds.

SECTION 4. That the number of directors of said company shall be twenty, which may be increased or diminished at any time by resolution of the board of directors, and vacancies may be filled by the board until the next annual election.

Number of directors.

Vacancies.

SECTION 5. That each share of stock shall entitle the holder of it to one vote, and each member of the mutual department shall be entitled to one vote at the annual election for directors, and either stockholders or members of the mu-

Votes.

tual department shall be eligible as officers or directors :
Provided, That said corporation shall pay into the treasury
 of the commonwealth, such bonus and taxes as are now or
 may hereafter be required by law.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 352.

An Act

To annul the marriage contract between Josephine L. Forrest and
 Albert B. Forrest, her husband.

SECTION 1. *Be it enacted, &c.*, That the marriage contract
 heretofore entered into between Josephine L. Forrest, late
 Josephine L. Dowlin, and Albert B. Forrest, be and the same
 is hereby annulled and made void, and the parties released
 and discharged from said contract, and from all duties and
 obligations arising therefrom, as if they had never been joined
 in marriage.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 353.

An Act

To authorize the laying out, opening and laying of water pipes in
 Volkmar street, in the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That Volkmar street, in the
 city of Philadelphia, is hereby laid out as a public highway
 from Hanover street to Palmer street, of the same width as
 the same is now opened on the east side of Hanover street;
 within sixty days from the passage hereof, the same shall be
 opened for public use by the chief commissioner of highways
 of the city of Philadelphia, and it shall be the duty of the
 chief engineer of the water department of said city, within
 thirty days after the said Volkmar street shall be opened as
 provided by this act, to lay water pipe in said highway or
 street between the points named; any owner or resident on

said street, shall have the right to file a petition in the court of common pleas to secure obedience to this act by the officers herein named.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 354.

An Act

Relating to the confirmation of the report of viewers as number four, December sessions, one thousand eight hundred and sixty-nine, of the court of quarter sessions of Allegheny county.

WHEREAS, A public road has been laid out over lands of James P. Fleming and others as number four, June sessions, one thousand eight hundred and sixty-eight, of the court of quarter sessions of Allegheny county, for which he was allowed no damages :

And whereas, Viewers were appointed who awarded him damages in the sum of fifteen hundred dollars, but whose report was set aside by reason of its being a few days too late, and the original report confirmed on the assumption that a petition for damages would lie :

And whereas, Such petition for damages was presented, and report made by the viewers as number four of December sessions, one thousand eight hundred and sixty-nine, of said court, awarding damages to the said James P. Fleming, in the sum of thirteen hundred dollars :

And whereas, Exceptions are now pending to the final confirmation of such report, and said court has no authority to overrule the same :

And whereas, It is inequitable and unjust that the said James P. Fleming should be deprived of the use of his land without compensation ; therefore,

SECTION 1. *Be it enacted, &c.*, That the report of viewers as number four (4) of December sessions, one thousand eight hundred and sixty-nine, of the court of quarter sessions of Allegheny county, be and the same is hereby validated and confirmed absolutely.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 355.

An Act

Repealing a clause of the first section of an act, entitled "An Act changing the time for the election for president, managers and treasurer of the Lewistown and Tuscarora Bridge company, and entitling the holders of the capital stock of said company to cast one vote for each and every share thereof held by such stockholder," approved March fourteenth, Anno Domini one thousand eight hundred and seventy-three, which clause was inserted by clerical error in the transcription of said act.

WHEREAS, By the first section of the act, entitled "An Act changing the time for the election for president, managers and treasurer of the Lewistown and Tuscarora Bridge Company, and entitling the holders of the capital stock of said company to cast one vote for each and every share thereof held by such stockholder," it was provided amongst other things when said act finally passed in the legislature, that "the holders of the capital stock of said company shall be entitled to cast either in person or by proxy, one vote for each and every share thereof held by such stockholder:"

And whereas, By a clerical error in the transcription of the said bill, the said provision was altered so as to read, that "the holders of the capital stock of said company shall be entitled to cast either in person or by proxy, one vote for each share not exceeding ten shares, and one vote for every five shares exceeding ten held by such stockholders:"

And whereas, The governor has approved the bill as thus erroneously transcribed; now therefore,

That the law may conform to the intent and act of the legislature.

SECTION 1. *Be it enacted, &c.*, That so much of the first section of the said act above referred to as provides, that "the holders of the capital stock of said company shall be entitled to cast, either in person or by proxy, one vote for each share not exceeding ten shares, and one vote for every five shares exceeding ten held by such stockholders," shall be and the same is hereby repealed; and hereafter at all elections for president, managers and treasurer of the Lewistown and Tuscarora Bridge Company, or meetings of stockholders of said company, the holders of the capital stock of said company shall be entitled to cast, either in person or by proxy, one vote for each and every share thereof held by such stockholder or stockholders.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 356.

An Act

To authorize the town council of the borough of Northumberland to borrow money and issue bonds.

SECTION 1. *Be it enacted, &c.*, That for the purpose of funding and consolidating the outstanding debt of the borough of Northumberland, the town council of said borough or their successors, are hereby authorized and empowered to borrow any sum or sums, not exceeding in the aggregate ten thousand dollars, and may issue coupon bonds therefor, in the corporate name of the borough, payable ten years after date, with interest, not exceeding seven per centum, payable annually, and negotiable at not less than ninety cents on the dollar, and not to be issued for less amounts than one hundred dollars each; said coupons to be receivable at par in payment of all taxes laid by said town council; which said bonds shall be taxable for state purposes only, and shall be signed by the chief Burgess, sealed with the borough seal, and attested by the town clerk.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 357.

An Act

To vacate that part of Haws avenue in the borough of Norristown, Montgomery county, lying between Steregere street and the north-eastern boundary line.

SECTION 1. *Be it enacted, &c.*, That the part of Haws avenue in the borough of Norristown, Montgomery county, which lies between Steregere street and the north-eastern boundary line of said borough, may be vacated by the corporate authorities of said borough, if they deem it best and advisable.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 358.

A Further Supplement

To an act consolidating the wards of the city of Pittsburg for educational purposes, approved the twelfth day of February, one thousand eight hundred and sixty-nine.

Boroughs recently annexed, consolidated for educational purposes.

SECTION 1. *Be it enacted, &c.*, That the boroughs annexed to the city of Pittsburg for municipal purposes by an act, entitled "A supplement to the several acts incorporating the city of Pittsburg, enlarging its boundaries, et cetera," approved the second day of April, one thousand eight hundred and seventy-two, be and the same are hereby consolidated for educational purposes; and hereafter when the boundaries of said city are enlarged, the jurisdiction of the central board of education and the school laws of said city shall extend over the territory annexed.

School laws to extend over territory hereafter annexed.

How long directors serving at time of annexation to continue.

SECTION 2. That the school directors serving at the time of the aforesaid, or any future annexation of territory to said city, shall continue in office until the first day of January next succeeding the expiration of the term for which they shall have been elected or appointed; and the first election of school directors in the new territory annexed by the act, approved the second day of April, one thousand eight hundred and seventy-two, shall take place at the annual city election in December, one thousand eight hundred and seventy-three.

First election of directors in territory recently annexed.

First election in districts hereafter annexed.

SECTION 3. And in any district or districts hereafter annexed to the city of Pittsburg, the first election for school directors shall take place at the time and places of holding the first annual city election after the first day of June, following the date of annexation of said new district or districts.

Court to appoint directors in certain cases.

SECTION 4. That whenever a sub-district shall be formed in said city, in which there shall reside less than four school directors, it shall be the duty of the court of quarter sessions of Allegheny county, to appoint a proper number of qualified persons to fill the vacancies until the next annual organization of the board.

Repeal.

SECTION 5. That all laws or parts of laws inconsistent with this act be and the same are hereby repealed.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 359.

An Act

To annul the marriage contract between and to grant a divorce to Howard B. Hanmore and Netta Riggs Hanmore.

SECTION 1. *Be it enacted, &c.*, That the marriage contract entered into and existing between Howard B. Hanmore and Netta Riggs Hanmore, his wife, be and the same is hereby annulled and made void to all intents and purposes, and the said parties released and set free, and discharged from said contract and the duties and obligations thereunder, as fully, effectually and absolutely as if said contract had never been made, the courts of this commonwealth not having jurisdiction and not being empowered to decree a divorce in the premises.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 360.

A Further Supplement

To an act authorizing the governor to incorporate the West Chester and Wilmington Plank Road Company, extending the time for the completion of the same.

SECTION 1. *Be it enacted, &c.*, That the time limited for the completion of the said company's road be and is hereby extended for the term of twenty years.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 361.

An Act

To authorize the Ridley Park Association, of Delaware county to borrow money.

SECTION 1. *Be it enacted, &c.*, That the board of directors of the said association shall have power to borrow money

at any rate of interest not exceeding eight per centum per annum, to issue bonds and mortgage any part of their property as security therefor, and dispose of said securities on such terms as they may decide upon, and may receive mortgages and bonds from debtors at such rates as may be agreed upon between said debtors and said directors, not exceeding six per centum per annum.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 362.

An Act

For the relief of Eber Lewis, Senior, aged eighty-five years, a resident of Cussewago township, Crawford county, and a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, Eber Lewis, Senior, aged eighty-five years, served in the army of the war of one thousand eight hundred and twelve, responding to calls made by the government for forces for the defence of the frontiers at Erie and vicinity :

And whereas, Said Eber Lewis, Senior, was honorably discharged from the military service of the United States, but is unable to prove, by records now in existence, that he served more than fifty-six days as a soldier in said war of one thousand eight hundred and twelve, thereby being prevented from obtaining a pension from the general government :

And whereas, Said Eber Lewis, Senior, is feeble from age, and is dependent principally upon his labor for the support of himself and his aged wife ; now therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer be and he is hereby authorized and required to place the name of Eber Lewis, Senior, on the list of pensioners, at the rate of eight dollars (\$8) per month from the first day of January, Anno Domini one thousand eight hundred and seventy, to continue for and during the term of his natural life : *Provided*, That when the general government shall provide by law for pensions in such cases, the pension granted by this act shall cease and determine.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 363.

A Further Supplement

To an act, entitled, "An Act to incorporate the city of Oil City and provide for the payment of the debt of the borough of Oil City," approved the first day of March, one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That in the year one thousand eight hundred and seventy-four, the annual municipal election of the city of Oil City shall be held on the second Tuesday of February, and on the same day annually thereafter; and the meeting of the mayor and the city council, now required to be held on the second Tuesday of April, in each year, shall thereafter be held on the third Tuesday of February, of each year, at which time the controller shall render to the city council his report of the financial condition of the city, giving a full statement of all receipts and expenditures for the preceding fiscal year; and in all cases wherein the term of office of any officer of said city would thereafter expire on the first Tuesday of April, such term shall expire on the second Tuesday of the preceding February.

When municipal election to be held.

Meeting of mayor and council.

Report of controller.

Expiration of terms of office.

SECTION 2. That the portion of said city lying north of the Allegheny river shall hereafter be divided into two election districts for city and general elections; and the First ward of said city shall constitute one district, to be known as the first election district, and the Second and Third wards shall constitute another district, to be known as the third election district; and the city council shall have power to fix the place of holding the city and general elections in said election districts, and shall have power to appoint election officers for holding the first election in the said first election district, and to supply any vacancies that may exist in the board of election officers in the said third election district, in consequence of the division hereby made.

Portion of city north of river, divided into two election districts.

Council authorized to fix places of holding elections and appoint officers

SECTION 3. That no person shall be permitted to vote for city officers of said city, who shall not have paid a city tax within one year preceding the time he may offer to vote.

Qualification of voters.

SECTION 4. That all appointments to supply vacancies in the city council, shall be deemed to be until the next election; and in all cases in which two councilmen shall be elected in the same ward at the same election, the person receiving the highest number of votes, if otherwise eligible, shall be elected for two years, and the person having the next highest number of votes, if otherwise eligible, shall be elected for one year, the case of a tie vote to be determined by lot.

Appointments to supply vacancies.

How terms of councilmen chosen. in same ward at same election determined.

SECTION 5. All acts or parts of acts so far as they are inconsistent with this act are hereby repealed.

Repeal.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 364.

An Act

To authorize the election of an additional supervisor of roads in Addison township, Somerset county.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall be lawful for the qualified voters of Addison township, Somerset county, to elect three supervisors of roads, for said township, instead of two as heretofore; said additional supervisors to have and exercise all the powers and privileges and enjoy all the emoluments and immunities conferred upon the several supervisors of said township, by existing laws.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 365.

An Act

To authorize the supervisors of Sweden township, in the county of Potter, to levy an additional road tax.

SECTION 1. *Be it enacted, &c.*, That the supervisors of Sweden township, in the county of Potter, are hereby authorized to levy an additional road tax in said township, not exceeding one per centum upon all property taxable for county purposes, (the same to be collected as other road taxes are now by law collected,) which additional tax shall be expended exclusively in repairing and opening the highways in said township, and the said supervisors may levy said additional tax at the same time the regular road tax is levied or afterwards as necessity may require.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 366.

An Act

To authorize the borough of Sharon, in the county of Mercer, to borrow money.

SECTION 1. *Be it enacted, &c.,* That the burgess and town council of the borough of Sharon, in the county of Mercer, be and they are hereby authorized and empowered to borrow in the name and upon the faith and credit of said borough, any sum or sums of money not exceeding in the whole the sum of thirty thousand dollars, in addition to any sums heretofore authorized to be borrowed, and to issue coupon or other bonds to the purchaser or purchasers of said loan in such sums as said borough authorities may see proper, and bearing such rate of interest not exceeding eight per centum per annum, and redeemable at such times not exceeding fifteen years as may be agreed upon; said bonds to be taxable only for state purposes.

Authorities may borrow money and issue bonds.

Exempt from local taxation.

SECTION 2. That the said authorities shall have power, from time to time, to borrow money on the terms aforesaid, for the purpose of redeeming and paying off any loan or loans contracted by virtue of the first section of this act.

May borrow money to redeem loan.

SECTION 3. The said borough authorities shall have power to appropriate the moneys borrowed by virtue of this act, to the purchase of a steam fire engine and a lot of ground in said borough, and to the erection of a building suitable for the safe keeping of said fire engine and for a town hall, to the funding of the floating debt of said borough and to such other purposes as they may lawfully direct.

How borrowed moneys may be appropriated.

SECTION 4. That said borough authorities shall have power to levy and collect annually for borough purposes and for the purposes authorized by this act, any tax not exceeding seven mills on the dollar on the valuation assessed for county purposes as now is or may be provided by law.

Power to levy tax.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTMANFT.

No. 367.

An Act

Repealing an act relative to roads in Darlington township, county of Beaver approved the third day of March, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.,* That an act relative to roads in Darlington township, county of Beaver, approved the third day of March, Anno Domini one thousand eight hundred and

seventy, and a supplement to said act, approved the thirty-first day of March, Anno Domini one thousand eight hundred and seventy, and the supplements thereto, be and the same are hereby repealed.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 368.

An Act

Relative to the levying of tax in the borough of Butler.

Taxation for borough purposes.

SECTION 1. *Be it enacted, &c.,* That the town council of the borough of Butler, in the county of Butler, be and the same are hereby empowered to levy and collect annually in cash, for street and other borough purposes, a tax not exceeding ten mills on the dollar on the valuation assessed for county purposes, four mills to be paid in cash and six mills to be paid in labor on the streets, or all in cash, at the option of the tax-payer.

Repeal.

SECTION 2. That all acts or parts of acts inconsistent herewith be and the same is hereby repealed.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 369.

A Supplement

To an act to incorporate the Northampton Railroad Company, approved the seventeenth day of March, Anno Domini one thousand eight hundred and seventy, changing the corporate name thereof, the number of directors, and extending the time for commencing and completing the same.

Name changed.

SECTION 1. *Be it enacted, &c.,* That the corporate name of the Northampton Railroad Company shall be changed to the Lehigh and Delaware Railroad Company, and that the time for commencing work on said road shall be extended for three years and finishing six years, from the seventeenth day of March, Anno Domini one thousand eight hundred and seventy-three, and that the number of directors be reduced to seven.

Time for commencing work extended.

Number of directors reduced.

SECTION 2. That the following named persons be and are hereby appointed additional commissioners to those appointed by the act to which this is a supplement, to wit: George H. Myers, John Lerch, Charles B. Daniel, John Riegel, Charles S. Whitesell and George F. Herman.

Additional commissioners.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 370.

A Further Supplement

To an act, approved first April, Anno Domini one thousand eight hundred and seventy, entitled "An Act relative to streets in the city of Allegheny."

SECTION 1. *Be it enacted, &c.,* That whenever the councils of the city of Allegheny shall desire to re-grade or re-pave any of the streets or alleys of said city or parts thereof, either with the same or some improved or other kind of pavements, and the cost of the original grading or paving was paid by the property abutting, it shall be the duty of councils to refer the matter to three disinterested viewers who shall inquire and report to councils whether the improvement is in whole or part of benefit to the property abutting on said street or alleys or parts thereof, so to be re-graded or re-paved, or to the city at large, and if they shall report that it is in whole or in part of benefit to the property so abutting, they shall report the proportion to be paid by the same, whereupon said councils may provide by ordinance for the re-grading or re-paving of said street or alley or parts thereof, and that the cost and expense thereof shall be assessed wholly or partly upon the property abutting upon said street or alley or parts thereof, so to be re-graded or re-paved, in accordance with said report: *Provided however,* That an appeal may be taken from the action of said viewers within ten days from the passage of said ordinance, in the same manner as from the assessments of viewers on street openings in said city, and all action under said ordinance shall be suspended until the final order of the court thereon, and the court shall have power to direct such modifications of the report of said viewers as shall appear just and proper.

Re-grading and re-paving of streets, relative to.

SECTION 2. Whenever any street or alley, or parts thereof, shall be re-graded or re-paved as provided for in this act, the proportion of the cost and expense thereof which shall have been directed to be paid by the property abutting on such street or alley, or parts thereof, so re-graded or re-paved, shall be assessed along with the expenses of the view by the

Assessment of cost and expense.

said viewers, or by other like disinterested powers, by an equal assessment on the foot front of the several properties abutting on said street or alley, or parts thereof, so re-graded or re-paved.

Councils may require property owners to repair side-walks.

In case of neglect, city to repair them.

Cost to be lien.

SECTION 3. That the councils of the said city are authorized to pass a general ordinance requiring the owners of all property to keep the side-walks in front of such property in good order and repair, and in case of the neglect or refusal of any owner so to do, the said city may proceed to have the same put in good order and repair, and the cost and expenses thereof shall be a lien upon the property abutting on such pavement so put in good order and repaired, until fully paid and satisfied, and shall be collected as grading and paving liens in said city are collected.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 371.

An Act

To extend to Robert E. Stenner, son of Alfred Stenner, the benefit of the laws providing for the education and maintenance of soldiers orphans.

WHEREAS, Alfred Stenner, who was for many years a resident of the state of Pennsylvania, who married a wife who has always been a resident of said state, and who enlisted in the service of the United States during the war of the rebellion, from the state of Pennsylvania, and who died of disease contracted while in the military service of the United States, left surviving him two children, one of whom, Robert E. Stenner, was born on the tenth day of August, one thousand eight hundred and sixty-six, is debarred from the benefits of the law relative to soldiers' orphans, by reason of the provisions of the act of May twenty-seventh, Anno Domini one thousand eight hundred and seventy one;

And whereas, The widow of said Alfred Stenner is poor and unable to educate and maintain her children therefore;

SECTION 1. *Be it enacted, &c.,* That the said Robert E. Stenner, be and he is hereby admitted to all the privileges of the laws of the state of Pennsylvania relative to the maintenance and education of soldiers' orphans.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 372.

An Act

Authorizing the qualified electors of the county of Delaware, at the general election, to elect one person to the office of prothonotary of the court of common pleas and clerk of the court of general quarter sessions of the peace and oyer and terminer; to elect one other person to fill the office of recorder of deeds, and also to elect one other person to fill the offices of clerk of the orphans' court and register of wills.

SECTION 1. *Be it enacted, &c.*, That the qualified electors of the county of Delaware, at the general election to be holden in October, Anno Domini one thousand eight hundred and seventy-four, and thereafter triennially, shall elect one person to fill the offices of prothonotary of the court of common pleas and clerk of the general quarter sessions of the peace and oyer and terminer; and shall elect one other person to fill the office of recorder of deeds, and also shall elect one other person to fill the offices of clerk of the orphans' court and register of wills.

Election of prothonotary, recorder, &c.

SECTION 2. That so much of any other act of assembly as is inconsistent herewith be and the same is hereby repealed.

Repeal.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 373.

An Act

To enable the school directors of the First ward, in the city of Allegheny, in the county of Allegheny, to borrow money for school building purposes.

SECTION 1. *Be it enacted, &c.*, That the board of school directors of the First ward, in the city of Allegheny, be and is hereby authorized and empowered to borrow an amount of money, not exceeding thirty-five thousand dollars, and to issue bonds or certificates of indebtedness therefor, in sums not less than one hundred dollars each, bearing interest, annually, at such rate as shall be determined by said board of school directors, not exceeding eight and one-half per cent. per annum; said bonds or certificates to be executed by the president, and countersigned by the secretary of said board, and shall be exempt from taxation, except for state purposes;

Authorized to borrow money and issue bonds.

and further, shall be made payable not more than fifteen years from date, and redeemable at any date or dates within said period that said school directors or their successors shall, by resolution, direct: *Provided*, That all laws so made shall be applied exclusively to the purchase of ground and to the erection of suitable buildings thereon for the use of the public schools of said ward, or to the erection of such buildings on the ground now owned by the said ward as the said board may decide: *Provided*, That before exercising the privileges granted by this act, the said school directors shall first exhaust the powers of the court of common pleas as to the borrowing of money.

Repeal.

SECTION 2. That so much of any act or acts as are inconsistent with the provisions of this act be and the same are hereby repealed.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 374.

An Act

Authorizing the board of public education of the First school district of Pennsylvania, to take property in the Third ward of the city of Philadelphia, adjoining Mount Vernon school, for school purposes, and providing the payment of the same.

SECTION 1. *Be it enacted, &c.*, That the board of public education of the First school district of the state of Pennsylvania, be and they are hereby authorized to take such land and property in the Third ward, of the city of Philadelphia, adjoining Mount Vernon school property, as they may deem necessary for school purposes: *Provided*, That the said taking and the assessment of damages therefor be done as provided by the act, entitled "An Act for selection of sites for school houses," approved April ninth, one thousand eight hundred and sixty-seven, except that the three discreet citizens therein mentioned to assess damages may be citizens of the city of Philadelphia: *And be it further provided*, That upon the confirmation of the award of said viewers by the court of common pleas of the county of Philadelphia, the said court shall certify the amount of money so awarded to the city treasurer of Philadelphia, who shall pay the same out of the appropriation made by the state of Pennsylvania to the city of Philadelphia for school purposes, and for the year one thousand eight hundred and seventy-three.

APPROVED—The 20th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 375.

An Act

To incorporate the People's Bank of Fayette County.

SECTION 1. *Be it enacted, &c.*, That S. A. Gilmore, Alfred Howell, C. E. Boyle, J. D. Roddy, Ewing Brownfield, E. M. Ferguson, William M'Cleary, J. H. M'Clelland, Eli Cope, J. A. Searight and their successors, shall be and they are hereby created a body politic and corporate by the name and style of the People's Bank of Fayette County, to be located in the town of Uniontown, Fayette county, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever, and may have a common seal, may renew or alter the same, also may have the right to own and hold real estate and improve or dispose of it at pleasure.

SECTION 2. The capital stock of said company shall consist of five hundred shares, of the value of one hundred dollars each, with the privilege of increasing the same, by a vote of the stockholders, to two thousand shares of the like value per share, and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase at such price, not less than par, as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of new stock not less than par in such manner as they may deem best, and any increase of capital stock shall be paid one-fourth down and balance within one year thereafter.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock at such times and places as they may deem expedient; and when two hundred and fifty shares or more of said stock shall have been subscribed, and fifty per centum thereon of the same paid in, the stockholders may elect six directors, one of whom shall be president, to serve until the next annual election or until their successors shall have been duly elected and qualified: *Provided*, The whole of said five hundred shares shall be paid in within one year.

SECTION 4. The said bank shall have power, and may borrow and lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the legal interest received in advance, and shall have the right to hold in trust, or as collateral security for loans, or advances, or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, states, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held.

Further banking
privileges.

SECTION 5. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities.

Dividends.

SECTION 6. The board of directors shall have power to declare and pay dividends out of the earnings of the company to the stockholders, at such times and in such amounts as to them may seem proper; and said company shall pay to the state treasurer a tax on such dividends as is or may be imposed by law.

Annual election for
directors.

SECTION 7. The annual election for directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the company; directors shall elect one of their number president, and shall have power to elect all other officers or agents they may deem necessary for conducting the business of the company; stockholders shall be entitled to one vote for each share of stock, and may vote in person, or by written proxy, but said written proxy must be dated within six months of two weeks prior to the election, for which such proxy was given; two week's notice by publication in one of the county papers, shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws.

Officers and agents

Votes.

Notice of elections.

By-laws.

SECTION 8. The board of directors shall make by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or the United States, and shall have power to require payments of any amounts remaining unpaid on the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice under penalty in case of non-payment as required of forfeiture to the bank of such stock and all previous payments thereon.

Payments of
amounts remain-
ing unpaid on
stock.

Payment of depos-
its, &c., to minors
and married
women.

SECTION 9. That the board of directors shall have power to pay on application, the check, paper, receipt or order of any minor or married woman, such money or any part thereof, as he or she may have deposited to his or her credit, or any interest or dividend accruing thereon, without the assent or approval of the parent or guardian of such minor, or the husband, or the creditors of the husband of such married woman, to attach or in any manner interfere with any deposit, interest or dividend due thereon to such minor or married woman: *Provided*, That said corporation shall pay into the treasury of the Commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes.

Liability of stock-
holders.

SECTION 10. That the stockholder shall be personally liable to an amount double the capital stock held by them.

What real estate
may be held.

SECTION 11. That it shall be lawful for said bank to purchase, hold and convey real estate as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business, such as shall be mortgaged to it in good faith by way of security for debts, such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings, such as it shall purchase at sales under

judgments, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

SECTION 12. That said bank may take, receive, reserve and charge on any loan or discount made, interest at such lawful rate as is allowed by any general law of this state now or hereafter regulating the rate of interest therein, and no more; and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section. Interest on loans and discounts.

APPROVED—The 21st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 376.

An Act

To incorporate the Land and Law Advisor Publishing Company of Pittsburg.

SECTION 1. *Be it enacted, &c.,* That George H. Holtzman, Frank K. Schoonmaker, Magnus Pflaum, W. C. Aughinbaugh, John Croft, Andrew Patterson, Joseph Phillips, and such others as may be associated with them, are hereby constituted a body corporate by the name, style and title of the Land and Law Advisor Publishing Company, to be located in the city of Pittsburg, and as such shall have power to hold land and real estate, and to erect thereon such buildings, et cetera, as may be necessary to prosecute the newspaper, publishing, stereotyping, electrotyping, engraving, paper, stationery and printing business; to sell and convey their real estate, and to purchase, hold and sell such personal property as may be necessary to prosecute the objects of said company. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, with authority to increase the same to two hundred and fifty thousand dollars, in such manner as the directors shall determine: *Provided*, That holders of three-fourths of the stock shall give their consent to such change. Corporators.
Title.
Powers and privileges.
Capital stock.

SECTION 2. That the affairs of said company shall be managed by a board of seven directors, from whom shall be elected, by the board, a president, and such other officers as the business of the said company shall require. The directors shall be elected annually on the second Tuesday of September, on ten days' public notice being given; all elections shall be by ballot, and each share shall be entitled to one vote; a majority of directors shall be a quorum to transact business; and in Directors.
President and other officers.
Elections.
Quorum.

Failure to elect.
Vacancies.

case of a failure to elect, the directors shall continue in office until a new election is held; and in case of a vacancy occurring in the board of directors from any cause, the remaining directors shall fill such vacancy until the next annual election.

Further privileges.

SECTION 3. That the said corporation shall have authority to make and to use a common seal, sue and be sued, plead and be impleaded in any court of this commonwealth or elsewhere, and to make all by-laws, rules and regulations and appoint all agents necessary to carry on the business of the corporation.

Transfers of stock.
Dividends.

SECTION 4. That the stock of said company may be transferred agreeably to the by-laws, and that dividends may be declared and paid on all profits realized, but if the directors shall make a dividend of more than actual profits earned, the directors consenting thereto shall be individually liable for the excess so paid.

Bonus and tax.

SECTION 5. That the said company shall pay into the state treasury a bonus of one-half of one per centum on the paid up stock in four equal annual instalments, and such tax on dividends as is now or may be required by law.

Charter.

SECTION 6. That the charter of said company, and all the powers, rights and privileges hereby granted to them, shall continue until altered, revoked or annulled according to law by the general assembly of this commonwealth, any limitation under existing laws to the contrary notwithstanding.

May issue and sell bonds.

SECTION 7. That the said corporation may issue bonds and sell the same at their market value, notwithstanding it may be less than par, which bonds may be secured by mortgage of the real estate and franchises of the company, but no bonds shall be issued for a less amount than one hundred dollars.

Certificate to governor.

SECTION 8. That whenever the proceedings required to organize the new corporation have been completed, the same shall be certified to the governor of the commonwealth, who is thereupon to issue letters patent certifying the complete organization of said corporation.

Letters patent.

APPROVED—The 21st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 377.

An Act

To extend the provisions of an act relative to the office of coroner of Northampton county, to Bucks county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act relative to the office of coroner of Northampton county, approved the first day of May, Anno Domini one thousand

eight hundred and sixty-one, be and the same is hereby extended to the county of Bucks.

APPROVED—The 21st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 378.

An Act

Repealing an act vacating part of Cemetery avenue, in the Twenty-seventh ward of the city of Philadelphia, and to authorize the commissioner of highways to open Cemetery avenue.

SECTION 1. *Be it enacted, &c.*, That the act approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-nine, vacating that part of Cemetery avenue where it intersects with ground of B. B. Comegys, in the Twenty-seventh ward, in the city of Philadelphia, be and the same is hereby repealed. Repeal.

SECTION 2. That the commissioner of highways for the city of Philadelphia is hereby authorized to proceed and lay out said Cemetery avenue, in accordance with the terms of the act of May first, eighteen hundred and sixty-one, and in accordance with the plan adopted and filed by the commissioners appointed under said act by the court of quarter sessions held at Philadelphia on the twenty-third of September, eighteen hundred and sixty-one. Commissioner of highways authorized to open avenue.

APPROVED—The 21st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 379.

A Supplement

To an act, entitled "An Act conferring additional powers on the Muncy borough school district in Lycoming county, in this state, authorizing the school directors of said district to borrow money, issue bonds and to sell real estate," approved the fifth day of April, Anno Domini one thousand eight hundred and seventy.

WHEREAS, An act of the general assembly of the state of Pennsylvania, approved on the fifth day of April, Anno

Domini one thousand eight hundred and seventy, conferring additional powers on the Muncy borough school district in Lycoming county, is not sufficient to enable the school directors of said district to borrow the money needed for building purposes at the rate of interest therein stipulated ; therefore,

SECTION 1. *Be it enacted, &c.*, That the board of directors of the school district of the borough of Muncy, in the county of Lycoming, are hereby authorized and empowered to borrow money and issue bonds as stipulated in section first of the act to which this is a supplement, and to pay therefor any rate of interest not exceeding eight per centum per annum interest, payable semi-annually in currency, and also to levy and collect an annual tax for the re-payment of the said loan or loans not exceeding thirteen mills per annum in addition to the amount annually levied for school purposes.

APPROVED—The 21st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 380.

An Act

To authorize the Trustees of the Bingham Street Methodist Episcopal Church of Birmingham to sell real estate.

WHEREAS, The said corporation holds in fee simple certain real estate situate in Lower St. Clair township, county of Allegheny, and state of Pennsylvania, bounded and described as follows, namely: Beginning at a point on the old Brownsville road, and lands of Henry Giffin, thence along the line of said Henry Giffin's land south eighty-eight degrees west sixteen and one-half perches to a post on the land of said Giffin and the heirs of Ol Ormsby, deceased; thence south one and three-fourths degrees, east forty-nine and one-half perches along the line of said Ormsby's land to a post on the New Morgantown road; thence north twenty-seven and three-fourths degrees east six perches to a point on the old Brownsville road and the corner of a piece of land owned by John Irwin and W. Varner; thence along the old Brownsville road and the line of Irwin's and Varner's land north fourteen and three-fourths degrees east forty-six perches to the place of beginning, containing two acres and ninety-seven rods, more or less:

And whereas, A large portion of said piece of land, having been originally intended as a burying-place for the dead, has been found to be practically worthless for the purposes for which it was originally intended, by reason of the rocky nature of said piece of ground, and for which reason no graves have ever been made or dead buried therein:

And whereas, They are much in need of room for the purposes above designated, and wish to dispose of said piece of land in order that they may purchase other lands, suitable for the purposes for which this piece of land was originally purchased, with the money which may be realized from the sale of the above described piece of land, or such part or parts thereof as they (the trustees above mentioned) may deem it expedient to sell; therefore,

SECTION 1. *Be it enacted, &c.,* That the trustees of the Bingham Street Methodist Episcopal church of Birmingham, and their successors, by their president and secretary, be and are hereby authorized, under their corporate seal, from time to time, to sell and convey, in fee simple, the whole or any part of the lot of ground referred to and described in the preamble, the purchaser or purchasers of the whole or any part of said lot a piece of ground not being bound to see to the application of the purchase money: *Provided however,* That no part of said described piece of ground shall be sold, except that portion above mentioned as being unfit for the purposes for which it had been originally intended, and in which no graves have been made or bodies interred.

APPROVED—The 21st day of March, A. D. 1873.

J. F. HARTRANFT.

No. 381.

A Supplement

To an act to release Benjamin Corsin of Washington county, from the payment of certain collateral inheritance tax, approved the nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.,* That the state treasurer be and he is hereby authorized and required to refund and pay back to Benjamin Corsin, any and all collateral inheritance tax which he may have paid to the commonwealth, on the devise of eighty-eight acres of land, made to him in the last will of Nancy Carter, late of said county, deceased.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 382.

An Act

To change the time of holding the several courts of Greene county.

SECTION 1. *Be it enacted, &c.*, That in the year one thousand eight hundred and seventy-four and thereafter, the spring term of the several courts of Greene county shall commence on the third Monday of March in each year, instead of the second Monday in April, as heretofore.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 383.

An Act

To annul the marriage contract between R. S. Menamin and Eustalia, his wife.

SECTION 1. *Be it enacted, &c.*, That the marriage contract entered into between R. S. Menamin, of the city of Philadelphia, and Eustalia, his wife, of the city of New York, be and the same is hereby annulled and made void, and the said parties released, set free and discharged from said contract, and the duties and obligations thereunder, as fully, effectually and absolutely as if said contract had never been made.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 384.

An Act

To incorporate the Board of Home Missions of the General Synod of the Evangelical Lutheran Church of the United States.

Preamble.

WHEREAS, The General Synod of the Evangelical Lutheran Church in the United States of America, has a Board of Home

Missions composed of members of the Evangelical Lutheran Church, the object of which is to promote the interests of the Christian religion in general work of domestic missions in the United States :

And whereas, The said board of missions is intended to receive in trust contributions, donations and bequests, and to manage the funds thus received for the purposes contemplated in the appointment by the said synod of the said board, according to the benevolent intent of those who have contributed, donated and bequeathed such funds, and to administer the affairs of said board in general ; therefore,

SECTION 1. *Be it enacted, &c.*, That A. H. Lochman, W. M. Baum, A. W. Lilly, J. H. Menges, E. G. Smyser and Daniel Kraber, citizens of the United States, and members of the Evangelical Lutheran Church of the General Synod of the United States be and are hereby made, constituted and declared to be a body politic or corporate, which shall henceforth be known by the name of the Board of Home Mission of the General Synod of the Evangelical Lutheran Church in the United States, and as such shall have perpetual succession, and be capable of suing and being sued in any court whatever, and purchase, take and hold to them and their successors forever, lands, tenements, hereditaments, goods, money and chattels, and all kinds of estate whatsoever, which may be devised, bequeathed or given to them, and the same to sell, alien, demise and convey ; also to make a common seal, and the same to alter and renew at their pleasure ; and also to make such rules, and by-laws, and ordinances as may be needful or desirable for the government of said corporation, and not inconsistent with the constitution and laws of this State, and of the United States, and of the constitution and rules of the General Synod of the Evangelical Lutheran Church in the United States : *Provided*, That the yearly income from the real estate held by said corporation shall not exceed at any time the sum of ten thousand dollars.

SECTION 2. The incorporators above named shall hold their offices in said board from the date of this act, and until their successors are duly qualified to take their places, who shall be chosen by the General Synod of the Evangelical Lutheran Church in the United States, at such time and place, and in such manner as said synod shall determine ; vacancies occurring by death, resignation or otherwise, may be filled by the remaining members of the board until the next regular meeting of the general synod of said church.

SECTION 3. The board hereby incorporated and their successors, subject to the provisions of the constitutional enactments of the General Synod of the Evangelical Lutheran Church in the United States, shall have full power to manage the funds and property entrusted to them, and perform the particular duties assigned them in such a manner as they shall deem most advantageous and not contrary to law.

SECTION 4. No misnomer shall defeat the benevolent intent of any gift or bequest meant in fact for the use and benefit of the work entrusted to the board, nor shall its disor-

Corporators

Name.

Powers and privileges.

Corporators to hold office until successors are qualified.

How successors to be chosen.

Vacancies.

Management of funds, &c.

Misnomer.

Disorganization. ganization at any time by death, resignation or otherwise, annul its provisions or work its forfeiture.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 385.

An Act

To incorporate the Board of Church Extension of the General Synod of the Evangelical Lutheran Church of the United States.

Preamble.

WHEREAS, The General Synod of the Evangelical Lutheran Church in the United States has a board church extension, composed of members of the Evangelical Lutheran church, the object of which is to assist poor and destitute Lutheran congregations of the General Synod of the United States in obtaining houses of worship:

And whereas, The said Board of Church Extension is intended to receive, in trust, contributions, donations, bequests, and to manage the funds thus received for the purposes contemplated in the appointment by the said synod of the said board, according to the benevolent intent of those who have contributed, donated and bequeathed such funds, and to administer the affairs of said board in general; therefore,

Corporators.

SECTION 1. *Be it enacted, &c.,* That A. H. Lochman, W. M. Baum, A. W. Lilly, J. H. Menges, J. W. Goodlin, E. G. Smyser, and Daniel Kraber, citizens of the United States and members of the Evangelical Lutheran Church of the General Synod of the United States, be and hereby are made, constituted and declared to be a body politic or corporate which shall henceforth be known by the name of the Board of Church Extension of the General Synod of the Evangelical Lutheran Church in the United States, and as such shall have perpetual succession, and be capable of suing and being sued in any court whatever, and purchase, take and hold to them and their successors forever, lands, tenements, hereditaments, goods, money, chattels and all kinds of estate whatever which may be devised, bequeathed or given to them, and the same to sell, alien, demise and convey; also to make a common seal, and the same to alter and renew at their pleasure; and also to make such rules and by-laws and ordinances as may be needful or desirable for the government of said corporation and not inconsistent with the constitution and laws of this state and of the constitution and rules of the General Synod of the Evangelical Lutheran Church in the United States: *Provided*, That the yearly income from the real estate held by said corporation shall not exceed at any time the sum of ten thousand dollars.

Name.

Powers and privileges.

SECTION 2. The incorporators above named shall hold their offices in said board from the date of this act and until their successors are duly qualified to take their places, who shall be chosen by the General Synod of the Evangelical Lutheran Church in the United States, at such time and manner as said synod shall determine; vacancies occurring by death, resignation or otherwise, may be filled by the remaining members of the board until the next meeting of the general synod of said church.

Incorporators to hold office until successors are qualified.

How successors to be chosen.

Vacancies.

SECTION 3. The board hereby incorporated and their successors, subject to the provisions of the constitutional enactments of the General Synod of the Evangelical Lutheran Church in the United States, shall have full power to manage the funds and property entrusted to them, and perform the particular duties assigned them, in such manner as they shall deem most advantageous and not contrary to law.

Management of funds, &c.

SECTION 4. No misnomer shall defeat the benevolent intent of any gift or bequest meant in fact for the use and behoof of the work entrusted to the board, nor shall its disorganization at any time by death, resignation or otherwise, annul its provisions or work its forfeiture.

Misnomer.

Disorganization.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 336.

A Supplement

To an act to incorporate the Hamilton Hall and Cottage Company of Pittsburg, approved the tenth day of July, Anno Domini eighteen hundred and seventy-two, giving additional powers to board to issue bonds and providing for other matters.

SECTION 1. *Be it enacted, &c.*, That the said company shall have full power and authority to issue its bonds of whatever kind, to run such length of time and in such sums as the board of directors may determine, as evidence of any loan made or to be made to said company, or in payment for any property, real, personal or mixed, purchased or to be purchased by said company; and said bonds may bear interest at any rate not exceeding ten per centum per annum; and said bonds and interest thereon may, at the option of said board, be secured by a mortgage or mortgages in such form or forms, and subject to such terms, and conditions, and stipulations therein as may be determined upon, on all and singular, its franchises and property, real, personal and mixed, now or hereafter held or owned, or to be held, owned or purchased by said company, or on such parts thereof as to said board may seem expedient; said mortgage or mortgages, when re-

May issue bonds.

Interest.

May be secured by mortgage.

Issue of bonds
limited.

Issue and disposal
of stock.

Forfeiture for non-
payment.

Denomination of
bonds.

corded in the recorder's office of Allegheny county, shall be a valid lien to all intents and purposes: *Provided*, That at no one time shall the whole amount of said bonds exceed in the aggregate the sum of one hundred thousand dollars.

SECTION 2. Said company may issue the stock which it is authorized to issue as common stock, or as part common and part preferred stock, and said stock or any part thereof, may be disposed of or sold at such times, and at such price, and upon such terms and conditions as to the board of directors may seem proper; and said board may, at their option, forfeit to the use of said company any stock upon which instalments thereon may hereafter become due and remain unpaid for the space of sixty days: *Provided*, That no bond shall be issued for a less amount than one hundred dollars.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 387.

A Supplement

To an act, entitled "An Act authorizing the laying out of a certain road in Lycoming, Sullivan and Bradford counties," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted, &c.*, That the report required to be filed in the respective counties through which the said road may pass, or to be laid out by the fourth section of the act to which this is a supplement, by the commissioners locating the same, shall be deemed in law good and valid, and for all purposes a sufficient compliance with the provisions of said section, in case said report shall have attached thereto a draft of so much of said road as may be situated in or pass through the territory of the county in which said report may be filed.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 388.

An Act

Relating to the collection of taxes in the county of Armstrong.

SECTION 1. *Be it enacted, &c.,* That it shall be the duty of the commissioners of the county of Armstrong, on or before the first Monday of May in each and every year thereafter, to make duplicates of the assessment of taxes for state, county and military purposes, and also the tax on dogs, and deliver the same to the treasurer of said county, together with a certificate under their hands and attested by their clerk, certifying that the taxes therein have been duly assessed according to law.

Duties of county commissioners.

SECTION. 2. That it shall be the duty of the treasurer of said county to attend at least two days, if necessary, at the usual place of holding elections in each borough and township in said county, for the purpose of receiving the state, county and militia taxes and the tax on dogs, aforesaid; and the treasurer shall give notice of the time he will attend for the purpose aforesaid, at least three weeks prior to the first day of July in each and every year, by publication in not less than two nor more than three newspapers published in said county.

Duties of county treasurer.

SECTION 3. That in case any state, county, military or dog tax, assessed in any township or borough within said county, shall remain unpaid after the fifteenth day of September, in any year, it shall be the duty of the treasurer to issue his warrants, under his hand, accompanied with a schedule of all such unpaid taxes, and the names of the persons against whom the same are charged in the property duplicates, directed to the constable of the proper township or borough, whose duty it shall be to receive the same, authorizing and requiring him to demand and receive from the persons named in the schedule, the sums with which they are charged therein, together with eight per centum added thereto for compensation to said constable for collecting the same; and the said warrant shall further authorize and require such constable, in case any person named in said schedule thereunto annexed, shall fail to pay the amount with which said person is therein charged, with eight per centum added, within ten days after demand made therefor by such constable, to levy the same by distress and sale of the goods and chattels of such delinquent, giving ten days' public notice of such sale, by not less than six written or printed handbills or advertisements; and in such case said constable shall be entitled to retain out of the proceeds of sale, after deducting the taxes, and the eight per centum added, the same costs as are now allowed by law to constables on a levy and sale upon a writ of execution, except the commission allowed in constable's fee bill.

In case of non-payment of taxes, treasurer to issue warrant to constable.

To require security
from constable.

SECTION 4. That it shall be the duty of said treasurer, before delivering to the said constable his warrant for the collection of the unpaid taxes, to require from them, respectively, a bond in the name of the commonwealth of Pennsylvania, with such security as he shall approve of in double the amount of such unpaid taxes, conditioned for the payment of the full amount of the taxes contained in any warrant and schedule which shall be delivered to them, or any of them, after deducting exonerations made by the commissioners of said county, to the said treasurer within three months after the delivery of such warrant as aforesaid.

To charge constable with taxes contained in schedule annexed to warrant.

SECTION 5. That upon the delivery by the treasurer of his warrant to the constable, according to the provisions of this act, he shall charge such constable with the whole amount of tax contained in the schedule thereto annexed, in a book to be provided for that purpose, from which liability such constable and his surety shall only be discharged by payment of such amount, after deducting such exonerations as may be allowed to constables and certified to the treasurer by the county commissioners, for mistakes, indigent persons and other cases wherever exonerations are now by law allowed to collectors of taxes.

Duties of constable.

SECTION 6. It shall be the duty of said constables, respectively, on or before the first Monday in December, in each and every year, to make returns to the commissioners of said county of the unseated lands in their respective townships, upon which the taxes charged thereon in said schedule remain unpaid, and of lands therein on which personal property cannot be found sufficient to pay the taxes charged thereon in said schedules, in the manner now required of collectors of taxes by law.

Further duties.

SECTION 7. That it shall be the duty of the constables who shall receive warrants from said treasurers under the provisions of this act, to settle their accounts, obtain their exonerations, and pay to the treasurer of said county all moneys collected by them, on or before the fourth Monday in December next, after receiving said warrants and schedules; and the receipt of the constable for such warrant and schedule shall be taken by said treasurer.

Receipt for warrant and schedule to be taken.

Failure of constable to make payment and settlement.

SECTION 8. That in case any constable shall fail to make payments and settlements required by the previous sections of this act within the time aforesaid, it shall be the duty of the treasurer of said county to cause an action of debt to be brought upon the bond of such constable, and if on the trial of any such suit, it shall appear that such constable has not complied with the provisions of this act, judgment shall be rendered against the defendant therein, for the amount for which said constable is delinquent, together with interest, from and after the expiration of the period of three months aforesaid, and costs of suit; and in all cases there shall be no stay of execution, or other stay, any law to the contrary notwithstanding, but it shall be the duty of said treasurer to prosecute such judgment to execution and satisfaction without delay; but nothing herein contained shall prevent said

constable from collecting said tax upon said warrants after suit may have been instituted as aforesaid.

SECTION 9. That in all cases where the constable of any township or borough shall fail to give security as provided by this act, on or before the first day of September in each year, the said treasurer is hereby authorized to appoint a collector in his stead, who shall, on giving security as required of constables, proceed with the power and authority to perform the duties of constable under this act.

On failure to give security, collector may be appointed.

SECTION 10. That it shall be the duty of the assessors of the several townships and boroughs, in said county, in making the extra assessments provided for by law, to certify the name of the person applying to be assessed, with the amount of the tax imposed for state and county purposes to the county commissioners and treasurer, and to give his receipt upon the payment of the tax to the person assessed, which receipt shall be as valid as receipts given by the collector in like cases under existing acts of assembly, and the said assessor shall pay over to the said treasurer the amounts so received within thirty days after receiving the same.

Duties of assessors in making extra assessments.

SECTION 11. That it shall be the duty of the treasurer of said county to keep his office open at all reasonable hours to receive the taxes, in each year, from the first day of May until the first day of August, inclusive, except when traveling on official business, and whenever required he shall give receipts for the payment of said taxes.

Treasurer to keep office open for receipt of taxes.

SECTION 12. That if any treasurer, constable, or collector, or assessor, shall refuse to perform any of the duties required of them respectively, by this act, he shall be considered and adjudged guilty of a misdemeanor in office, and shall, upon conviction, be fined in any sum not exceeding two hundred dollars, which fine shall be for the use of the county.

Penalty on treasurer, &c., for refusing to perform duties.

SECTION 13. That the treasurer of Armstrong county shall, upon the approval of this act, proceed to take charge of the duplicates issued by the commissioners of said county, and proceed to collect with all due diligence, under the provisions of this act, the sum or sums so as aforesaid assessed.

Treasurer to take charge of duplicates issued.

SECTION 14. That from and after the first Monday of January, Anno Domini one thousand eight hundred and seventy-three, if this bill becomes a law, the treasurer of Armstrong county shall receive the sum of two thousand five hundred dollars in full for his services under this act for every year's services, including clerk hire, expenses of advertising, stationery and traveling.

His salary fixed.

SECTION 15. That so much of any laws as requires the commissioners of Armstrong county to appoint collectors of taxes in said county, and all laws or parts of laws inconsistent with this act, be and the same are hereby repealed.

Repeal.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 389.

An Act

For the relief of F. F. Marshall.

SECTION 1. *Be it enacted, &c.*, That the state treasurer be authorized to pay to F. F. Marshall, of the city of Erie, the sum of forty-six dollars and ten cents, it being the amount paid by said F. F. Marshall in error for purchase money, interest and fees on inlot number two thousand seven hundred and thirty-five, in the city of Erie, in discharge of lien entered in favor of the commonwealth of Pennsylvania against said lot, the purchase money and interest having been paid by P. S. V. Hamot, the former owner, and patented to him by patent dated the third day of February, Anno Domini one thousand eight hundred and thirty-seven.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 390.

An Act

To authorize the pre-payment of all justice and officers' costs on appeals from justices of the peace, in and for the county of Bucks.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, upon any appeal being taken from the judgment of any justice of the peace in the county of Bucks, that before the justice shall be compelled to deliver a transcript that all justice and officers' costs shall first be paid by the party appellant: *Provided*, If the defendant or defendants shall make oath and file with the justice, that by reason of poverty, he, she or they is or are unable to pay said costs, then appeal shall as heretofore be taken without payment of costs.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 391.

An Act

Regulating the pay of assessors of Montgomery county.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the pay of the assessors in the county of Montgomery, shall be two dollars per day, and four cents per mile circular for each mile necessarily traveled in making their returns to the commissioners of said county.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 392.

An Act

Supplementary to an act to incorporate the Northern Railroad and Navigation Company, approved March twenty-second, Anno Domini one thousand eight hundred and sixty-seven, legalizing the consolidation of said Northern Railroad and Navigation Company with the Rochester, Nunda and Pennsylvania Railroad Company.

SECTION 1. *Be it enacted, &c.*, That the agreement of consolidation made and entered into by and between the said Northern Railroad and Navigation Company and the Rochester, Nunda and Pennsylvania Railroad Company, consolidating the two said companies, which said contract was duly ratified by the stockholders of the said Northern Railroad and Navigation Company, on the twenty-seventh day of June, Anno Domini eighteen hundred and seventy-two, is hereby legalized and made valid in all respects; and said companies shall be taken and held to be legally consolidated after the filing of said agreement of consolidation with the secretary of the commonwealth of Pennsylvania.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 393.

An Act

To incorporate the Dollar Savings Bank of Connellsville.

Corporators.

SECTION 1. *Be it enacted, &c.,* That George Nickel, James Collins, John Cowlson, James Wilkey, John Tinstman, Presley Moore, James L. Paull, John Wilhelm, Samuel Detwiler, Harry E. Saddler, David Welsh, Joshua G. Gibson, Henry Shaw, Aaron Bishop, Isaac Cochran, Joel C. Strawn, and their successors, shall be and they are hereby created a body politic and corporate by the name and style of the Dollar Savings Bank of Connellsville, to be located in the town of Connellsville, Fayette county, and by that name shall have perpetual succession, and may sue and be sued in any court whatever, and may have a common seal, may renew or alter the same; also may have the right to own and hold real estate and improve or dispose of it at pleasure.

Name.

Privileges.

Capital stock.

SECTION 2. The capital stock of said company shall consist of one thousand shares of the value of one hundred dollars each, with the privilege of increasing the same by a vote of the stockholders to two thousand shares of the like value per share; and when the capital stock is so increased the stockholders shall have the right to take the shares authorized by such increase at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of new stock in such manner as they may deem best.

Subscriptions.

SECTION 3. The corporators or a majority of them shall have power to open books for subscription to the capital stock at such times and places as they may deem expedient; and when five hundred shares or more of said stock shall have been subscribed, and fifty per centum thereon of the same paid in, the shareholders may elect nine directors, one of whom shall be president, to serve until the next annual election or until their successors shall have been duly elected and qualified.

Election of directors.

Banking privileges.

SECTION 4. Said bank shall have power, and may borrow and lend money for such period as said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust or as collateral security for loans, or advances, or discount, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, states, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of said bank or for the payment of the debts as security for which the same may be held in any market of the world.

SECTION 5. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities at legal rates of interest as may be agreed upon by the said bank and the borrowers.

Further banking privileges.

SECTION 6. The board of directors shall have power to declare and pay dividends out of the earnings of the company to the stockholders, at such times and in such amounts as to them may seem proper, and said company shall pay to the state treasurer a tax on such dividends as is or may be imposed by law.

Dividends.

SECTION 7. The annual election for directors shall be on the second Tuesday of January, of each year, unless changed by the by-laws of the company; directors shall elect one of their number president, and shall have power to elect all other officers or agents they may deem necessary for conducting the business of the company; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said proxy must be dated within six months of and two weeks prior to the election for which such proxy was given; two weeks' notice by publication in one of the county papers shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws.

Annual election for directors.

Officers and agents.

Votes.

Notice of elections.

SECTION 8. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or of the United States, and shall have power to require payments of any amounts remaining unpaid on the stock of said banks at such times and in such proportions as they think proper, and after thirty days' notice, under penalty in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

By-laws.

Payments of amounts remaining unpaid on stock.

SECTION 9. That the board of directors shall have power to pay, on application, the check, paper, receipts or order of any minor or married woman, such money or any part thereof, as he or she may have deposited to his or her credit, or any interest or dividend accruing thereon, without the assent or approval of the parents or guardian of such minor, or the husbands or creditors of the husbands of married women, to attach or in any manner interfere with any deposit, interest or dividend due them to such minor or married woman: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter may be required by law.

Payment of deposits, &c., to minors and married women.

Bonus and taxes.

SECTION 10. That the stockholders shall be personally liable to an amount double the capital stock held by them.

Liability of stockholders.

SECTION 11. That the legislature hereby reserves the power to alter, revoke or annul the said corporation, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner however that no injustice shall be done the corporators, and this charter shall continue twenty years.

Reservation.

Limitation.

What real estate
may be held.

SECTION 12. That it shall be lawful for said bank to purchase, hold and convey real estate, as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

Interest on loans
or discounts.

SECTION 13. That said bank may take, receive, reserve and charge on any loan or discount made, interest at such rate as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more, and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

APPROVED—The 24th day of March, A. D. 1873.
J. F. HARTRANFT.

No. 394.

An Act

To incorporate the People's Bank of Carmichaels, to be located at Carmichaels, Greene county, Pennsylvania.

Corporators.

SECTION 1. *Be it enacted, &c.,* That J. T. Biddle, John Crage, E. B. Bailey, J. W. Hathaway, Wm. Hartman, John Gwynn, S. J. Acklin J. F. Eicher, H. J. Jennings, Paul Rea, J. P. Hart, Corbly Gerard, Nevi Hart, B. W. Denny, Samuel Luse, Henry Luse, and their associates, now engaged in the banking business at Carmichaels, Greene county, Pennsylvania, under the name of the People's Bank of Carmichaels, and their successors, and all other persons who shall hereafter become stockholders in the bank incorporated, shall be and are hereby created a body politic and corporate, by the name and style of the People's Bank of Carmichaels, to be located in the borough of Carmichaels, in the county of Greene, and state of Pennsylvania, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded, in any court whatever, may have a common seal and may renew and alter the same at pleasure, also may have the right to own and hold any real estate necessary for the transaction of their business, together with such as may be held by said bank as security for debts or in satisfaction thereof, and may improve, mortgage, encumber or dispose of the same at pleasure: *Provided, That* a misnomer of the said corporation in

Name.

Privileges.

Misnomer.

any instrument shall not vitiate the same, if the intent of the parties can be ascertained.

SECTION 2. That the capital stock of said bank shall consist of the present capital of the banking association, composed of the persons named in the first section, of fifty thousand dollars, as now divided, into one thousand shares of the par value of fifty dollars each, and the same may be increased from time to time, by a vote of the directors, to any amount not exceeding, in the aggregate, two hundred thousand dollars; and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized in ratio to the shares they may have, at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

Capital stock.

SECTION 3. That all subscriptions of stock made to the said banking association, and all sums paid thereon, shall be deemed and taken as belonging to and shall belong to the bank hereby incorporated, whenever a majority of the stockholders of said association, or their heirs and assigns, shall accept this act of incorporation; and all stockholders in said association and their heirs and assigns shall be entitled to the same number of shares, of like value per share, in the corporation, as they may severally hold in said association at the time of the acceptance of this act: *Provided*, That all money due and owing to said association, by subscription, bond or any other obligation, or in any manner whatsoever, and all property, real, personal and mixed, belonging to said association, however and wherever the same may be situate, shall, upon the acceptance of this act as aforesaid, vest in and belong to the bank hereby incorporated, and the same may be sued for and recovered by said bank in its corporate name.

On acceptance of act, subscriptions of stock to association to belong to corporation.

Right to shares.

Moneys due association to belong to corporation.

SECTION 4. Thirty-five thousand dollars of the capital stock subscribed to said banking association having been paid in, the stockholders thereof are authorized to meet at such time and place, within one year from the passage of this act, as a majority of the corporators may fix for the purpose, and to organize and begin business under this charter by electing nine directors to serve until the next annual election, or until their successors shall have been duly elected and qualified, who shall elect their own president; vacancies arising from death, resignation, or inability to serve, to be filled by the board until the next election.

Organization.

Election of directors.

Vacancies.

SECTION 5. The said bank shall have power, and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note at legal rates of interest, or other negotiable paper, and any other obligation or security, and the interest may be received in advance, and shall have the right to hold in trust or as collateral security for loans, or advances, or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to dispose thereof for

Banking privileges.

the benefit of the said bank, or for the payment of the debts as security for which the same may be held in any market of the world, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

By-laws.

SECTION 6. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of this state or United States; and shall have power to require payments of any amount remaining unpaid on the stock of the said bank or of the said association, at such times and in such proportions as they may think proper, and after thirty days' notice, under penalty in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

Payments of amounts remaining unpaid on stock.

Further banking privileges.

SECTION 7. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, corporations, states, and of the United States, at such rates as may be agreed upon.

May act as treasurer of charitable institutions, &c.

SECTION 8. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of the state of Pennsylvania, and other states, of city governments, boroughs, counties and districts in the management of their business, and may give security to such institutions, states and governments, for the faithful performance of their duties, if required.

Dividends.

SECTION 9. The board of directors shall have power to declare and pay dividends, out of the earnings of the bank, to stockholders at such time and in such amounts as to them may seem proper.

Annual election for directors.

SECTION 10. The annual election for directors shall be on the first Monday of January of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents of the bank, and may remove them at will; stockholders shall be entitled to one vote for each share of stock, and may vote by person or proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given; two weeks' notice shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws.

Officers and agents
Votes.

Notice of elections.

Bonus and taxes.

SECTION 11. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or hereafter may be required by law.

Deposits.

SECTION 12. That it shall be lawful for the said bank to receive on deposit from time to time such sums of money, not less than one dollar, as may be offered by any corporations, associations, trustees, tradesmen, clerks, mechanics, laborers, servants, minors, married women and others, and to allow such interest for money so received as may be agreed upon between said bank and said depositors; to loan the same together with any other moneys they may have, by dis-

Interest.

Loans.

counting or purchasing negotiable notes, drafts, bills of exchange, or any other obligations or securities of value; that deposits made by married women, or minors, in said bank, and all interest or dividends that shall accrue thereon, may be repaid them upon their orders, checks or receipts, which shall discharge the said corporation from any further claim for the same, and deposits so made by married women and minors, and all interest or dividends that may become due thereon, shall not at any time be subject to the claim or demand of or payable to the husband of such married woman or to his creditors, or to the parent or guardian of such minor.

Payment of deposits, &c., to minors and married women.

SECTION 13. That said bank is hereby empowered to receive and become the depository of all trust and such other funds that may be paid into or be under the control of the several courts of this state and the laws of the same, and may give special security for the re-payment of such funds, if required.

May become depository of trust funds, &c.

SECTION 14. That the purpose of this act is to incorporate a savings bank and loan company, and this charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the incorporators.

Purpose.

Limitation.

Reservation.

SECTION 15. That the stockholders shall be individually liable for all contracts, debts and engagements of said bank to an amount double in amount to the stock held by them.

Individual liability.

SECTION 16. That it shall be lawful for said bank to purchase, hold and convey real estate as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

What real estate may be held.

SECTION 17. That said bank may take, receive, reserve and charge, on any loan or discount made, interest at such rate as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more, and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

Interest on loans and discounts.

APPROVED —The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 395.

A Further Supplement

To an act to incorporate the Allentown Iron Company, approved April twelfth, one thousand eight hundred and fifty-one, authorizing the holding of additional real estate.

SECTION 1. *Be it enacted, &c.*, That the said Allentown Iron Company, may and shall have the right to purchase or take and hold, in fee simple, or for a term of years, lands in any part of this commonwealth, and use the same for the purpose of mining ore, erecting and operating mills or furnaces, or manufacturing iron or steel; and said company may and shall have the right to sell and dispose of said lands, or any part of the same, from time to time or at any time, and may sell ore mined, or iron or steel made or manufactured thereon, in such manner and on such terms as they may deem best: *Provided however*, That the entire quantity of land held by them shall at no time exceed three thousand five hundred acres.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 396.

An Act

To enable the commissioners of Bedford county to appropriate money for the opening of township roads in special cases.

SECTION 1. *Be it enacted, &c.*, That the commissioners of Bedford county, are hereby empowered and authorized to appropriate of the county funds, towards the opening and construction of township roads in all cases where the opening of such roads is too expensive for the townships to bear, but only in cases where such roads will obviate the necessity for the erection of expensive county bridges: *Provided*, That such appropriation shall only be made with the consent of the court and grand jury in the same manner as the appropriations for county bridges; that all roads so opened shall afterwards be kept in repair in the same manner as other township roads, and that the opening of all such roads shall be given out by contract, by the commissioners, to the lowest and best bidder, and shall be taken off the hands of the contractor, and paid for in the same manner as county bridges.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 397.

An Act

For the erection of a bridge across the Juniata river from a point on Duncan's island, Dauphin county, to a point on the opposite side, in Perry county.

SECTION 1. *Be it enacted, &c.*, That the commissioners of the counties of Dauphin and Perry be and they are hereby authorized and required to cause a good and sufficient public bridge to be erected over the Juniata river, from a point on Duncan's island, in Dauphin county, to a point in Perry county, on the land now or late the estate of Cornelius Baskin, deceased, on the site and piers of the former bridge swept away by the flood of eighteen hundred and sixty-five, and the commissioners are hereby directed to provide the means equally from each county, and cause such bridge to be erected as speedily as possible, so that the same may be completed on or before the first day of January next, eighteen hundred and seventy-four: *Provided*, That the cost of extending the same shall not exceed the sum of eighteen thousand (\$18,000) dollars.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 398.

An Act

Authorizing and requiring the school directors of Leechburg borough, Armstrong county, to erect a school building, and borrow money, and issue bonds for the same.

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Leechburg, in the county of Armstrong, are hereby authorized to borrow upon the credit of said borough, such sum or sums of money as may be necessary, not exceeding eight thousand dollars, for the erection of a suitable building for school purposes in the borough of Leechburg. Authorized to bor.
row money.

SECTION 2. That said school directors be and they are hereby authorized to make and issue bonds, with or without interest coupons attached, for the payment of which the said borough is hereby pledged for the amount they borrow, not exceeding six per centum per annum, payable semi-annually, redeemable at any time not exceeding ten years from the date Issue bonds.

Exempt from local
taxation.

Proviso.

of bond; said bonds to be exempt from all taxation under the laws of this commonwealth, except for state purposes: *Provided*, That before exercising the privileges granted by this act the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 399.

A Supplement

To an act to incorporate the Temperanceville and West Pittsburg Savings Bank, approved April thirteenth, Anno Domini one thousand eight hundred and seventy-two, substituting the names of other incorporators, changing the location of said bank, the number and par value of the shares of the capital stock thereof, the number of directors and the amount of assessments in the unpaid subscriptions to said capital stock.

Corporators.

SECTION 1. *Be it enacted, &c.*, That in lieu of the corporators named in the first section of the act to which this is a supplement, the following names shall be inserted, to wit: W. S. Packer, John A. Carothers, Robert E. Stewart, John H. M'Masters, Robert S. McCaque John C. Newmyer, Robert P. Duff, M. G. Corey and J. D. Schooley, their successors and assigns; said bank to be located in the borough of Brad-docks, in the county of Allegheny.

Location.

Capital stock.

SECTION 2. The capital stock of said bank shall consist of two thousand shares, of the par value of fifty dollars each, with the privilege of increasing the same to any amount not exceeding four thousand shares, of the like par value per share.

Directors.

SECTION 3. The board of directors shall consist of nine persons, who shall be stockholders in their own right, the same to be elected annually by the stockholders at the time and in the manner prescribed in the act to which this is a supplement; and until the next annual election therefor, the persons named in the first section of this supplement shall constitute a board of directors, to serve until their successors shall have been duly elected and qualified.

Payment of
amounts remain-
ing unpaid on sub-
scriptions.

SECTION 4. The board of directors shall have power to require the payment of any amount remaining unpaid on the subscriptions to the capital stock of said bank, at such times not oftener than once in thirty days, and in such amount not greater than five per centum, on said subscriptions, under penalty, in case of non-payment after thirty days' notice of such assessment, of forfeiture to the said bank of such stock and all previous payments thereon.

SECTION 5. That so much of the act to which this supplement, not in conflict with the provisions of the foregoing, is hereby validated and confirmed, and that all the provisions of said act to which this is a supplement inconsistent herewith be and the same are hereby repealed.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 400.

An Act

To authorize the school directors of the borough of Pottsville, in the county of Schuylkill, to borrow money.

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Pottsville, in the county of Schuylkill, are hereby authorized and empowered to borrow any sum or sums of money not exceeding fifty thousand dollars, and to issue bonds or certificates of indebtedness for the same, in sums of not less than fifty dollars each, bearing interest at the rate of six per centum per annum payable semi-annually; said bonds or certificates of indebtedness to be executed by the president, with the seal of said school district attached, and countersigned by the secretary of the board of directors; shall be free of taxation, except for state purposes, under the laws of this commonwealth, and shall be made payable not over thirty years from date, and after the expiration of two years from date shall be redeemable at any time within said period that said school directors or their successors shall by resolution direct; and further, that said school directors be and they hereby are authorized to levy and collect such additional tax as may be necessary for the payment of the sum or sums so borrowed and interest thereon, according to the terms of said bonds or certificates of indebtedness, and that said bonds or certificates of indebtedness shall be a lien upon all school property of said school district until fully paid: *Provided*, That all loans so made shall be applied exclusively to the erection of suitable buildings for the use of the public schools of the said borough of Pottsville: *And provided further*, That nothing herein contained shall be held in any way to affect the levying of taxes for school purposes in said school district: *And also provided*, That before exercising the privileges granted by this act, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 401.

An Act

To incorporate the Myerstown Bank, located in Myerstown, Pennsylvania.

Corporators.	SECTION 1. <i>Be it enacted, &c.,</i> That Jacob Baney, Henry Horst, John J. Nissley, George T. Hummel, Joseph L. Horst, Joseph Hershey, Allen Weigle, Richard Lee, Peter Knable, Allen H. Carmany, Jos. Coover, John A. Dinges, Henry Loose, George W. Dinges, John N. Shirk, Henry Gingrick and Cyrus Gingrick, and all others who shall hereafter become shareholders in the corporation created by this act, and their successors, shall be and they are hereby made a body politic and corporate by the name and style of the Myerstown Bank, to be located in Myerstown, Pennsylvania, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, have a common seal, and alter and renew the same at pleasure; and also have the right to own and hold real estate as follows, viz :
Name.	
Privileges.	
What real estate may be held.	Such as shall be necessary for its immediate business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgment, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.
Capital stock.	SECTION 2. The capital stock of said bank shall consist of one thousand shares, of the value of fifty dollars each, with the privilege of increasing the number of the same to an amount not exceeding two thousand, or the value thereof in a sum not exceeding fifty dollars each share; such increase to be made from time to time, as shall be deemed expedient by a vote of the board of directors; and when the capital stock is to be increased, the stockholders shall have a right to take such additional stock, at a price fixed by the board of directors, not less than par, in case they give notice of such election within ten days after such increase has been authorized, otherwise it shall be disposed of as the directors see fit, at not less than par.
Subscriptions.	SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock at such time and place as they may deem expedient; and when one thousand shares or more of said stock shall have been subscribed, and twenty-five per centum on each share thereof paid in, the said bank shall be authorized to commence business, and the shareholders may elect a board of thirteen directors to serve until the next annual election,
When business may be commenced.	
Election of directors.	

or until their successors shall have been duly elected and qualified; vacancies ensuing from death, resignation or inability to serve, to be filled by the board: *Provided however*, The remaining three-fourths of said capital stock shall be paid in within one year after commencing business, and when any increase of said capital stock the whole of same shall be paid in at time of subscription, or within one year thereafter.

Vacancies.

When capital or increase thereof to be paid in.

SECTION 4. The said bank shall have power to borrow and lend money for such period as may be agreed upon by the borrower, and the said bank may make, accept, draw or negotiate commercial paper; may buy and sell bullion, rents, annuities, commercial paper, mortgages, judgments, bonds, stocks, government securities, and other evidences of indebtedness; may receive money to keep for its depositors, either with or without interest payable thereon; but until a larger sum is authorized by law, the whole of the assets of the said bank shall not exceed one hundred thousand, exclusive of such real estate as it holds simply for the convenient transaction of its business.

Banking privileges.

Assets limited.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the said bank, not repugnant to the laws of this commonwealth or of the federal government, and shall be authorized to call in unpaid instalments of stock, when and in such proportions as they see fit, within one year after subscription, under penalty in case of non-payment after thirty days' notice of such demand, of forfeiture to the bank of the delinquent's stock, together with all previous payments thereon.

By-laws.

Payment of amounts remaining unpaid on stock.

SECTION 6. The said bank shall be authorized to act as treasurer or financial agent of charitable or religious bodies, or corporations, of cities, counties, or other municipal or quasi corporations, and of the commonwealth of Pennsylvania or other states, giving security for the faithful discharge of the duties of such trusts, if required.

May act as treasurer of charitable institutions, &c.

SECTION 7. The board of directors may declare and pay dividends out of the earnings of the said bank, in any amount, not exceeding the same, and at such intervals as they may deem proper.

Dividends.

SECTION 8. The annual election for president and directors shall be held on the second Monday of January of each year, until otherwise directed by the by-laws of the said bank; and at such election shareholders shall be entitled to one vote for each share of stock, to be given either in person or by a written proxy; such proxy, however, shall be dated not more than six months, nor less than five days prior to the election at which any vote is cast in pursuance of it; and notice of such election shall be given at least five days prior to the time thereof, by publication in one or more daily or weekly papers of the county of Lebanon.

Annual election.

Votes.

Notice.

SECTION 9. The president of said bank shall be chosen by the board of directors, from their own number; the other officers, employees of the said bank, shall also be appointed by the said board.

President and other officers.

SECTION 10. The said bank may pay, on presentation of the check, proper receipt or order of any minor or married

Payment of depositors, &c., to minors and married women. woman, such money or any part thereof as such minor or married woman may have deposited in said bank, or any interest or dividend thereon, without the approval of the parent, guardian or husband, as the case may be; and any deposits in the said bank, made by a married woman, shall be free from the control or disposal of her husband, or from the interference of her husband's creditors: *Provided*, That each and every stockholder shall be individually liable and bound for double the amount of stock held by them, for the liabilities of the bank to depositors and others.

Individual liability.

Interest on loans or discounts.

SECTION 11. That said bank may take, receive, reserve and charge on any loan or discounts by it made, interest at such lawful rates as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein and no more, and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

Bonus and taxes.

SECTION 12. The said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Limitation.

Reservation.

SECTION 13. This charter shall continue for twenty years; but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the corporation.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 402.

A Supplement

To an act to incorporate the city of Chester, in the county of Delaware, approved February fourteenth, Anno Domini one thousand eight hundred and sixty-six, prescribing the qualifications of electors; providing for security to be furnished by the mayor and clerk of council; confirming powers of mayor and aldermen; prescribing the mode of contesting elections; and increasing the power of the city to borrow money, and conferring additional powers on the councils of said city relative to streets.

Qualifications of electors.

SECTION 1. *Be it enacted, &c.*, That no person shall be permitted to vote at any any municipal election in said city, for any of the municipal officers thereof, other than a freeman of the age of twenty-one years or more, who shall have resided in this state at least one year, and in the said city at least thirty days, and in the election district where he offers to vote, at least ten days immediately preceding such election,

and within one year previous to such election paid a city tax ; but a citizen of the United States, who had been previously a qualified voter of this state, and removed therefrom and returned, and who shall have resided in said city and election district, and paid taxes as aforesaid, shall be entitled to vote after residing in this state six months.

SECTION 2. That hereafter all mayers elect of the said city, and all clerks of council, shall be required, before being qualified and assuming the duties and privileges of their respective offices, to give security by bonds, with two or more sufficient sureties, to be approved of by the council of said city, for the faithful discharge of the duties of their offices, for the payment over all moneys remaining in their hands in their official capacity, at the expiration of their terms of office, and the delivery of all books and papers in their hands belonging to the said offices to their successors in office; and the said bonds shall be taken in the name of the city of Chester, and filed with the president of council. The bond to be given by the mayor shall be in the penal sum of five thousand dollars, and the bond to be given by the clerk of council shall be in the penal sum of one thousand dollars.

Mayors and clerks of council to give security.

SECTION 3. That the mayor and aldermen of said city, or any of them, shall and may take and receive the acknowledgment and probate of all deeds, conveyances, mortgages or other instruments of writing, touching or concerning any lands, tenements or hereditaments situate, lying and being in any part of this state or elsewhere; and also shall and may take and receive the separate examination of any feme covert, touching or concerning her right of dower, or the conveyance of her estate, real or personal, or right in or to any such lands, tenements and hereditaments; and also shall and may take and receive the acknowledgment and probate of any instrument of writing, the recording of which probate or acknowledgment is rendered necessary by the recording acts of this state; and shall and may administer and attest affidavits as fully to all intents and purposes whatsoever as any judge of the supreme court, or any president or associate judge of any of the courts of common pleas within this commonwealth can, or may take and receive, administer and attest the same; and they, the said mayor and aldermen, or any of them so taking and receiving, administering and attesting such acknowledgments, probates and affidavits, or examinations as aforesaid, shall and may receive such legal fees therefor as has been or may be provided by law; and all acknowledgments and proofs heretofore made before any of the officers aforesaid, in the manner and according to the forms required by the laws of this commonwealth, are hereby ratified and confirmed, and the same and the records of the instruments aforesaid, if the said instruments have been heretofore recorded, are declared to be as valid and effectual as if the said acknowledgments, proofs and records had been respectively made, taken and recorded under the provisions hereof.

Mayor and aldermen may take acknowledgments and administer oaths.

Former acknowledgments ratified.

SECTION 4. The return of all municipal elections in the city of Chester, except of members of council, shall be subject to the inquiry and determination of the court of com-

Mode of contesting elections prescribed.

LAWS OF PENNSYLVANIA.

mon pleas of the county of Delaware, upon complaint of fifteen or more of the qualified voters of the proper ward or district, or in the case of mayor, treasurer or other officer elected by the entire city, by at least fifty of the qualified voters of said city, which complaint shall be filed in the said court within twenty days after such election, and at least two of the complainants shall take and subscribe an oath or affirmation that the facts set forth in such complaint are true ; and the said court in judging of such elections shall proceed upon the merits thereof and determine finally concerning the same according to the laws of this commonwealth, and shall have power, if they believe such complaint to have been made without sufficient cause, to decree that the complainants or any one or more of than shall pay all legal costs incurred by such investigations.

Power to borrow money for municipal purposes and construction of lock-up.

SECTION 5. That the mayor and council of said city shall, in addition to the powers heretofore granted, have authority to borrow, upon the faith and credit of the said city, for municipal purposes, any sum or sums of money not exceeding fifteen thousand dollars, and for the purpose of defraying the expense of the construction of a lock-up building, any additional sum or sums of money not exceeding eight thousand dollars, and to issue therefor bonds or other evidences of indebtedness of the said city.

Additional powers relative to streets conferred on mayor and council.

SECTION 6. That the mayor and council of the city of Chester shall have power to grant to the Philadelphia, Wilmington and Baltimore Railroad Company, the Philadelphia and Baltimore Central Railroad Company, the Chester Creek Railroad company, or any of them, or any of their successors and assigns, the use and occupation of the streets, lanes, courts and alleys lying within three hundred feet of the said railroads, or any of them, now opened or hereafter to be opened and established, to be used and occupied by the said railroad companies, respectively, only so long as the said streets, lanes, courts and alleys shall remain open to public use and travel, and shall have the power to vacate any of the said streets, lanes, courts or alleys concerning which no grant as aforesaid shall have been made, subject to all the remedies of the owners of property thereon to obtain compensation in damages, as are provided for by existing laws in the case of opening streets in said city ; such grants as aforesaid, when made and approved by ordinance of the mayor and council, shall be as valid and effectual to transfer the rights and privileges therein contracted for to the said railroad companies, or any of them, or any of their successors and assigns, as if made between individuals ; and the mayor and council of the said city shall have power to enact ordinances, from time to time, as they may deem advisable and expedient for the purposes of this act.

Repeal.

SECTION 7. That all acts or parts of acts inconsistent with any of the provisions hereof are hereby repealed.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 403.

A Supplement

To an act to incorporate the city of Parker, approved March first,
Anno Domini one thousand eight hundred and seventy-three.

SECTION 1. *Be it enacted, &c.*, That the first municipal election held under the act to which this is a supplement, shall be held on Friday, March twenty-eighth, one thousand eight hundred and seventy-three, and annually thereafter on the the fourth Friday in March.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 404.

An Act

Incorporating Monongahela City, in the county of Washington.

SECTION 1. *Be it enacted, &c.*, That the territory and inhabitants within the boundaries hereinafter stated, in the county of Washington, be and the same are hereby incorporated into a city, and are declared to be a body politic and corporate in law, under the name and style of Monongahela City.

Incorporation.

Name.

SECTION 2. Until otherwise provided, under the power of extension herein contained, the boundaries of said city shall be as follows: Beginning at the western boundary of the borough of Monongahela City, where the same strikes the Monongahela river, thence down said river to corner of lands belonging to heirs of Marcus Black, deceased; thence by line of said land to a point where it joins the line of land of Edward Kearney's heirs; thence to the Washington and Williamsport turnpike, so as to include said Kearney lands; thence by the lines of the school district, attached to the borough of Monongahela City, as set forth in an act, entitled "An Act to attach a part of Carroll township, in the county of Washington, to the borough of Monongahela City for school purposes," approved the third of April Anno Domini one thousand eight hundred and sixty-two, to the upper or eastern line of said borough, and thence down the Monongahela river to the place of beginning.

Boundaries.

SECTION 3. The boundaries of said city may be extended by ordinance thereof, on petition of two-thirds in number of the resident owners of real estate within the territory proposed to be included.

Extension of boundaries.

OF THE CORPORATE POWERS.

Said city shall have power—

- Succession.** SECTION 4. To have perpetual succession by its corporate name.
- Sue, &c.** SECTION 5. To sue and be sued, complain and defend, in all courts.
- Seal.** SECTION 6. To make, use, and at pleasure alter, a common seal.
- Property.** SECTION 7. To purchase and hold real and personal estate, for municipal purposes, and at pleasure convey the same.
- Contracts.** SECTION 8. To make all needful contracts.
- Limits.** SECTION 9. To extend its limits as above provided.
- Streets, lanes, &c.** SECTION 10. To survey, lay out, enact, ordain, open, make, repair, widen, straighten, grade, adorn, improve, accept, curb, drain, clean, regulate, control, protect, change and vacate roads, streets, lanes, alleys, courts, sewers, foot-walks, side-walks, pavements, gutters, wharves, ditches, culverts, public squares, parks and cemeteries : *Provided*, That said city shall not be obliged to open and make such streets, lanes or alleys, until such time as councils may deem them, or they may be found by view to be necessary for the accommodation of the public.
- Gas.** SECTION 11. To provide for the supply of the city and its inhabitants with gas light.
- Water.** SECTION 12. To provide for the supply of the city and its inhabitants, with pure water, by means of pumps, wells, cisterns, reservoirs, water works and pipes ; and for this purpose, may contract for, obtain and use water power, reservoir and pipes outside of the city limits.
- Buildings for city purposes.** SECTION 13. To provide, erect, maintain and repair buildings for city offices, for lock-up, for fire engines, and for street commissioners' implements and tools.
- Foundations, walls, earth closets, &c.** SECTION 14. To regulate the foundations, walls and party walls of private or public buildings ; to regulate earth-closets, vaults, cesspools, sinks, drains, coal cellars under the pavements and the openings thereof, partition and boundary fences.
- Licenses on vehicles.** SECTION 15. To establish suitable rates of license on all carts, drays, wagons and other vehicles passing in or through or otherwise using the streets of said city.
- Animals at large.** SECTION 16. To prohibit and regulate the running at large of horses, cattle, mules, sheep, goats, swine, dogs and other animals.
- Dogs.** SECTION 17. To authorize and direct the killing of dogs running at large, contrary to law or the city regulations, and not taxed for city purposes.
- Markets.** SECTION 18. To establish and regulate markets and market days.
- Hawking and peddling.** SECTION 19. To regulate the hawking and peddling of market produce, meat, vegetables and fruit, or other articles, and of goods, wares and merchandise in the city.
- Inspection, &c., of bulky articles.** SECTION 20. To provide for the inspection, measurement and weight of wood, coal, hay or other bulky articles sold or delivered or offered for sale in the city.

SECTION 21. To adjust and regulate, from time to time, and to cause all dealers in said city, from time to time, to adjust and regulate the scales, weights and measures used by them, in conformity to the standards on file in the office of the county commissioners of said county.

Scales, weights and measures.

SECTION 22. To compel the removal and abatement of all nuisances, rubbish, decaying animal or vegetable matter, manure, compost, filth or other offensive matter from the premises occupied by any person within said city, and to procure the removal of all such from any and all places within said city.

Removal and abatement of nuisances, &c.

SECTION 23. To compel the fumigation, cleansing, deodorizing and disinfecting of all places, public or private, within the city, in times of pestilence, unusual sickness or danger hereof.

Fumigation, &c., of places.

SECTION 24. To enact and enforce sanitary measures for preventing the spread of small-pox, cholera or other contagious or infectious diseases.

Sanitary measures.

SECTION 25. To prevent the interment of deceased persons within the city limits at any other places than shall be designated by the city, or than are now exclusively appropriated to such purposes; to remove bodies interred contrary to the ordinances; to regulate the depth of graves, and to protect all places of lawful interment, the property, bodies and ornaments therein.

Interments.

SECTION 26. To prevent, prohibit or regulate the establishing or carrying on of any art, trade, manufacture, or business in the city noxious or offensive to the inhabitants of the city or its suburbs.

Carrying on of offensive trades.

SECTION 27. To prohibit or regulate the manufacture, sale, carriage, storage or use of fire-works, gunpowder, turpentine, petroleum, benzole, nitro glycerine or other explosive, inflammable or dangerous articles within said city.

Manufacture, &c., of dangerous articles.

SECTION 28. To prohibit and punish (in addition to such other penalties as may be provided by law) riots, noises, disturbances, disorderly assemblages, gambling, gambling rooms, disorderly houses, bawdy houses; to destroy gambling apparatus and devices; to prohibit and punish all indecent or immoral exhibitions, shows, plays and performances, and to prohibit and punish public bathing.

Prohibition and punishment of riots, &c.

SECTION 29. To prohibit and punish riding of animals and the driving or propelling of vehicles, cars or locomotives at a rapid rate in said city.

Fast riding and driving.

SECTION 30. To provide a fire department, fire engines, apparatus and regulations for the prevention and extinguishment of fires.

Fire department, fire engines, &c.

SECTION 31. To prohibit and prevent from time to time the erection of any wooden buildings, in any public street or alley to be designated by ordinance.

Prohibit erection of wooden buildings.

SECTION 32. To provide a sufficient police and night watch.

Police.

SECTION 33. To provide for and enforce the registration of all births, marriages, deaths and interments within said city.

Registration of births, &c.

SECTION 34. To grant licenses to shows, concerts, exhibitions, theatres or other performances not of immoral character.

Licenses to shows, concerts, &c.

Protection of property.

Tax for city purposes.

May borrow money and issue bonds.

Proviso.

Proviso.

Entry on lands.

Regulations for health, &c., of inhabitants.

Opening, &c., of streets.

Draining, &c., of swamp lands.

Assessment of damages sustained by opening of streets, &c.

Fines and penalties for violations of regulations, &c.

Ordinances, by-laws, &c.

Other powers.

SECTION 35. To protect the property of the city.

SECTION 36. to levy and collect taxes, not exceeding ten mills in any one year on the assessed valuation for city purposes, from such persons and subjects of taxation as are or shall be by law taxable for county purposes, including dogs.

SECTION 37. To borrow money and issue bonds for the payment thereof, bearing interest at a rate not exceeding seven per cent. per annum: *Provided*, That at no time shall the indebtedness of the city exceed six per cent. on the assessed valuation of the real estate therein: *And provided*, That such borrowing shall be first authorized by a vote of the electors of the city.

SECTION 38. To cause entry to be made on lands and tenements for the purposes mentioned in this act.

SECTION 39. To make such other regulations for the health, safety, comfort, convenience, peace, quiet and good order of the city, and its inhabitants, and for the protection of their property within it, as shall be reasonable and just.

SECTION 40. To open, grade and pave streets, courts, alleys, lanes, side-walks and squares, and collect the costs and expenses thereof in the manner provided for like work in sections one, two and three of the act, entitled "An Act in relation to grading, paving, macadamizing and curbing the streets, and paving the side-walks, in the borough of M'Keesport," passed third April, Anno Domini one thousand eight hundred and sixty seven, and heretofore extended to the borough of Monongahela City, by act of twenty-eight of March Anno Domini one thousand eight hundred and seventy.

SECTION 41. To drain ditch, fill and raise wet spouty or swampy lands, or lots in said city, and to require the same to be done by owners thereof through or into the lands of others, and to keep or require the same to be kept in repair.

SECTION 42. To provide for the assesment of damages sustained and benefits derived by or to any person or persons, by reason of the exercise of the powers conferred in sections ten, forty and forty-one, of this act, and for the payment and settlement thereof.

SECTION 43. To impose, collect and enforce reasonable fines and penalties, with costs, for non-conformity to our violations of the regulations, by-laws or ordinances of the city: *Provided*, That any imprisonment imposed by any ordinance, or resulting from execution thereof, shall not exceed forty-eight hours.

SECTION 44. To make, enact, publish, enforce and at pleasure alter or repeal, from time to time, ordinances, by-laws and regulations, not inconsistent with the constitution and laws of the United States, or of this state, or with this act, for carrying into effect and executing the powers conferred and duties required by this act, or any supplement which may be enacted thereto.

SECTION 45. Said city shall have and exercise such other powers as are incident to like municipal corporations.

OF CORPORATE ELECTIONS.

SECTION 46. The electors of said city shall elect the corporate officers designated by this act: one mayor, one treasurer, three city auditors, one judge and two inspectors of elections in each ward; one assessor and two assistants in each ward; and they shall elect one alderman and one constable in each ward, and may elect two such alderman and two such constables in each ward. Officers.

SECTION 47. Electors only shall be eligible to any of said offices. Eligibility.

SECTION 48. The said officers, when elected and qualified, shall serve till their successors are duly elected and qualified. Terms of office.

SECTION 49. Every person having resided in said city for six months prior to any election, and being otherwise qualified to vote for inspectors of elections of the ward in which such person offers to vote, shall be entitled to vote at such city election for city officers. Qualifications of voters.

SECTION 50. The judges of elections shall cause certificates of election to be delivered to the persons elected. Certificates of election.

SECTION 51. The elections for city officers shall be held at the time and place, and in the same manner, and by the same officers as elections for judges and inspectors of general elections, except the first election herein otherwise provided for. Elections, when to be held, &c.

SECTION 52. Fraudulent voting, fraudulent offering to vote, fraudulent refusal to receive a legal vote, betting on the result of the city election, or on the election of any city officer, or offering so to do, disturbing the election, destroying tickets, and bribing electors, shall be punished as similar offences are or may be under the laws relating to the general elections of this commonwealth. Fraudulent voting, &c.

SECTION 53. Each ward of said city shall be an election district, and the corporate authorities of the city shall designate and provide a suitable place for the holding of all elections therein. Each ward an election district.

SECTION 54. The officers conducting any city election shall cause duplicate returns thereof to be made, one copy whereof shall be filed with and recorded by the clerk of the court of quarter sessions of said county as other elections are, the other to be filed with and recorded by the city clerk in a book to be provided and kept for that purpose by said city, in addition to which a copy of the returns of the election of alderman shall be filed in the office of the prothonotary of said county. Returns of elections.

SECTION 55. The judges of elections of the several wards of said city shall meet at a place to be designated by council, on the first Monday after any city election, and ascertain the persons elected to the various city officers, who shall be required to be elected thereto by the city at large. Meeting of return judges.

SECTION 56. In case of a tie vote, the city councils shall determine the person elected to any city office. Tie vote.

SECTION 57. The city at large shall elect the mayor, treasurer and city auditors. City at large to elect certain officers.

SECTION 58. The justices of the peace now in commission within said city, the judges and inspectors of elections, con- Certain officers to continue.

stables, assessors and their assistants, shall continue to hold as if they had been elected thereto by virtue of this act.

Divided into three wards.

SECTION 59. Until otherwise districted by the corporate authorities of said city, it shall be divided into three wards.

First ward.

All that portion of the territory of said city before described lying east of Ford street and the Pigeon Creek road, including the Island and East Williamsport, shall constitute the First ward.

Second ward.

All that portion of said territory lying between said Ford street and Pigeon Creek road on the one side, and Ferry street and the Williamsport and Washington turnpike on the other side, shall constitute the Second ward.

Third ward.

And all that portion of said territory lying west and north of said Ferry street and turnpike, including Lockhard's extension and Dry Run, shall constitute the Third ward.

First election.

SECTION 60. The first election shall be held on the third Friday of April, Anno Domini one thousand eight hundred and seventy-three, at the usual place of holding elections for the borough of Monongahela City, and shall be conducted in the manner prescribed by the twenty-seventh and twenty-eighth sections of the act of seventh March, Anno Domini one thousand eight hundred and forty, for holding elections where townships are divided, and in other respects under the general election laws.

OF THE CORPORATE OFFICERS.

Corporate powers, in whom vested.

SECTION 61. The corporate powers of said city shall be vested in a mayor and city councils.

Councils, how composed.

SECTION 62. The councils shall be composed of two branches, viz : the select council and the common council.

Number and terms of office of councilmen.

SECTION 63. Each ward shall be entitled to two members of the select council, who shall be elected for the term of two years, and to not less than two nor more than four members of the common council, who shall be elected for the term of one year each.

Election of select council.

SECTION 64. Each ward, at its first election, whether such ward is now or may be hereafter erected, shall elect two members of the select council, one to serve for two years and one to serve for one year, and thereafter one (except in filling vacancies) annually.

Election of common council.

SECTION 65. At the first election under this act, and till otherwise districted into wards, and a different apportionment made by the corporate authorities, the First, Second and Third wards shall elect each two members of the common council.

Districting of city into wards, and apportionment of common council.

SECTION 66. The said corporate authorities shall have power, from time to time, not oftener, after the first time, than once in three years, to district the city into wards, and apportion among them the number of common council which each shall be entitled to elect thereafter.

Stated and special meetings of councils.

SECTION 67. Said councils shall meet statedly, at least once in every month, at such times and place as the by-laws, ordinances or regulations may designate, and specially as much oftener as may to them seem necessary. A majority of each council shall be a quorum.

In the absence of their president they may elect a president *pro tem.*; and in the absence of their clerk they may elect a clerk *pro tem.*

SECTION 68. They may, when convenient, hold joint sessions for the transaction of business as if the same were but one council. Joint sessions of councils.

SECTION 69. No appropriation of the moneys, revenues or property of said city, no contract for the borrowing of money, no assessment or levy of taxes for city purposes, and no ordinance, by-law or regulation of said city, shall be of any force or validity, unless the same have been concurred in or approved by the said councils. Appropriations, ordinances, &c., to be concurred in by councils.

SECTION 70. The persons elected to the offices of mayor and city councils shall, within thirty days thereafter, take and subscribe an oath or affirmation, before some officer empowered to administer oaths and affirmations, to support the constitution of the United States and of the commonwealth of Pennsylvania, and to perform the duties of their respective offices with fidelity; which oath or affirmation shall be filed, by the city clerk, among the archives of the city, and noted on the minutes of the councils. Mayor and councilmen to take oath.

The city councils first elected shall hold their first meeting on the first Monday of May, Anno Domini one thousand eight hundred and seventy-three, at seven o'clock P. M., at board of trade rooms. The term of the mayor, council, treasurer and auditor shall, after the present year, commence on the first Monday of May, in each year. When terms of certain officers to commence.

SECTION 71. If any person elected to any corporate office shall, for a period of thirty days thereafter, fail, neglect or refuse to assume the duties of the office, or having done so, shall die, resign, remove from the city, become insane, or otherwise incapable of performing the duties of his office, the said city councils shall declare his office vacant, and shall appoint some suitable person to fill the same till the next city election and the qualification of his successor. When councils to declare elective offices vacant.

SECTION 72. Said councils shall annually, and as much oftener as may be necessary, appoint one street commissioner in and for each ward, one city clerk, one city solicitor, one collector of taxes in and for each ward, and one city engineer. They shall also appoint policemen and night-watch, in such numbers, and at and for such times as occasion may require, and such other officers as may, from time to time, be found necessary. To appoint certain officers.

SECTION 73. They shall fix the compensation to be paid to every such officer for his services, and prescribe his duties; they may, by ordinance, fix the salary of the mayor, the compensation to be paid to the judges and inspectors for their services in holding city elections, to the assessors for their services in making assessments for city purposes, to the city auditors, city treasurer and members of the city councils. To fix compensation of officers.

SECTION 74. They shall cause to be made and preserved a correct record of all their proceedings, and a correct account of all assessments, receipts, expenditures and finances of the city, and condensed statements of such accounts shall be published annually, after the same shall have been audited. To keep a record of their proceedings, account of assessments, &c.

To cause boundaries of city to be surveyed, &c.

SECTION 75. They shall cause the boundaries of the city to be surveyed, marked and mapped, and cause correct maps and records to be made of the roads, streets, lanes, courts, alleys, parks, squares, bridges, cemeteries, et cetera, within said city, and the same to be preserved in a book, to be provided by said city for the purpose.

To cause streets, &c., to be kept in good condition.

SECTION 76. They shall cause the streets, side-walks, foot-walks, alleys, courts, roads, lanes, squares, parks, et cetera, to be kept clean, clear of obstructions, dangerous openings, and in good condition and repair.

To clear bridges of obstructions, and may protect them, &c.

SECTION 77. They shall cause all bridges within the city to be kept clear of all obstructions, and may protect them from injury by fast driving, or crowding thereon, or by fire or water, and may exercise police and night-watch regulation and government thereof, and may light them with gas.

To give notice of proceedings relative to streets, time of election, &c.

SECTION 78. They shall cause due previous public notice to be given by advertisement or posting where necessary, of all proceedings relative to roads, streets, courts, sewers, lanes, alleys, parks, squares, cemeteries, et cetera, and of the time and place of holding elections, and of the offices to be filled at city elections; and of the time and place of holding appeals from the assessments and valuations made for the purposes of city taxation; and of all ordinances, by-laws or regulations, before the same shall go into operation.

To equalize assessments, fix rate of taxation, &c.

SECTION 79. They shall annually equalize and adjust assessments and valuations relative to taxation for city purposes, fix the rate of taxation therefor, and cause all taxes to be promptly collected.

To exercise powers conferred, and compel performance of duties required by act.

SECTION 80. They shall exercise the powers conferred and compel the performance of the duties required by this act whenever, as often and in such manner, and with such penalties for non performance or violations, as shall best promote the public welfare and be reasonable and just.

OF THE MAYOR AND OTHER OFFICERS.

Mayor, election and duties of.

SECTION 81. The mayor shall be elected annually; he shall sign all ordinances, by-laws and regulations adopted by the councils and enforce the same; he shall be the keeper of the city seal.

He shall attest therewith all process, precepts and warrants issued by him, and all ordinances, by-laws and regulations.

He shall annually issue precepts to the assessors and warrants to the collectors of the city taxes.

He shall not possess or exercise power to veto, annul or suspend any by-law, ordinance or regulation of the city.

His powers, jurisdiction and authority.

SECTION 82. He shall have and exercise the powers, jurisdiction and authority of aldermen and justices of the peace as a conservator of the peace, and in all criminal matters, whether arising in or out of said city, in all actions of debt on penal statutes in which justices of the peace or aldermen have jurisdiction, in cases of vagrancy, intoxication, profanity, violations of the Lord's day, disturbances of meetings or of the peace, and in all suits and proceedings for violations of and non-conformity to the ordinances, by-laws and regulations of said city: *Provided*, That before he shall enter on

the exercise of the duties of his office in each year, he shall give a bond to said city in such amount as the council shall fix, to be approved by them, and filed with the clerk, conditioned to pay over and account for according to law, all fines and penalties which shall come to his hands by virtue of his office; on failure to furnish such security the city councils shall have power to declare the office vacant, and to appoint some suitable person to said office who shall be qualified according to law, and furnish such security and serve during such term. To give security.

SECTION 83. He shall keep a docket, to be provided by said city, of all his business and proceedings, and give certified copies thereof whenever required, which copies shall be evidence of so much of said docket and proceedings in all courts of the state. Docket.

He shall deliver said docket, and the papers of his office, and the seal of the city, to his successor in office.

SECTION 84. He may receive a stated salary from the city, to be fixed by councils, and shall be entitled to have and receive such fees as aldermen and justices of the peace are entitled to for like services, to be recovered and collected in like manner. Salary and fees.

SECTION 85. The office of mayor of said city shall not be incompatible with that of justice of the peace. Compatibility of office.

SECTION 86. The other officers of said city, whether elected or appointed, shall, before entering on the performance of their duties, severally take and subscribe an oath or affirmation, similar to that prescribed for the mayor and councils, the same to be filed and recorded in like manner: *Provided*, That officers who are now in office, and who hold over till the end of their terms, and who shall have been already officially sworn, shall not be required to be again sworn or affirmed by reason of this section: *And provided further*, That aldermen, constables, assessors and their assistants, or other officers who may be officially sworn, in pursuance of any other general law of this state, shall not be required to be officially sworn by virtue of this act. Other city officers to take oath. Proviso. Proviso.

SECTION 87. The clerk shall perform such duties as shall be required of him by the ordinances, by-laws or regulations, or by the resolutions or orders of the city councils and shall have power to administer oaths and affirmations where the same may be necessary in the transaction of the business of the city. Duties and powers of clerk.

He shall attest all ordinances, by-laws and regulations; he shall have the care and custody of the books and papers of the city, and shall keep the same open at all times for the inspection of all persons, subject however to the reasonable control, directions and regulations of the city councils, and shall deliver the same to his successor.

Copies thereof, attested by the clerk and certified by the mayor, under the seal of the city, shall be evidence thereof in all courts and tribunals of the state.

SECTION 88. The treasurer shall be elected annually; before entering on the performance of his duties, he shall give bond with sufficient security, to be approved by the city councils, conditioned for the faithful performance of his duties, and to Treasurer, election of. To give bond.

account for and pay over, according to law, and according to the orders of the councils, all moneys, choses in action, or other property, which shall come into his possession or control, by virtue of his office, or be entrusted to his keeping by the councils.

His duties.

He shall keep correct accounts of his business in books to be furnished by the city, and exhibit the same to the councils and auditors whenever required.

He shall perform such other duties relative to the collection of taxes as are hereinafter provided for.

At the end of his term he shall deliver to his successor all books, papers, property, choses in action, or money in his custody or possession.

Auditors, election and duties of.

SECTION 89. Auditors shall be elected for the term of three years, except that at the first election under this act three shall be elected to serve, one for three years, one for two and one for one year, and thereafter one only (unless to fill vacancy) annually.

They shall at least once, annually, examine and audit, and certify to the city councils the accounts of the city and of the treasurer.

Allermen.

SECTION 90. The aldermen of said city shall, by virtue of their offices, be justices of the peace; and the justices of the peace now in commission within said city limits, shall be and are hereby declared to be aldermen of said city.

Jurisdiction.

They shall have concurrent jurisdiction with the mayor in all suits and proceedings arising under the ordinances, by-laws and regulations of the city, and be entitled to like fees.

Additional duties required of assessors.

SECTION 91. In addition to the duties required of the assessors by law, they shall perform such other duties in the assessment and return of property, real and personal, for the purpose of city taxation, and in relation to the enumeration of the inhabitants, as shall be required of them by the ordinances, or by the orders or resolutions of councils.

Tax collector to give bond.

SECTION 92. Before receiving any tax duplicate, the collector shall give bond with sufficient surety, to be approved by the city councils, conditioned for the faithful performance of his duties, and that he will promptly collect and pay over, and account for, according to law, all moneys and taxes, which shall be charged in the duplicate delivered to him, or that may be collected or received by him by virtue of his said office.

Additional duties required of constables.

SECTION 93. In addition to the duties required by law of the constables, they shall execute all processes issued and directed to them by the mayor or aldermen of said city, and shall perform such other duties as may be required of them under the ordinances or the resolutions or orders of the councils; and shall receive for their said services such fees as are allowed them by law for similar services, to be collected in like manner, and such other compensation, for special services, as may be provided therefor by the councils.

OF THE ASSESSMENT, LEVY AND COLLECTION OF TAXES.

SECTION 94. The councils shall adopt as the basis of every assessment for city purposes, the last previous annual assessment for county rates and levies. Basis of assessments.

SECTION 95. The councils shall hold, tri-ennially, stated meetings for hearing appeals from assessments and valuations for city purposes, but may make corrections thereof, on application, at other times. Appeals.

They shall not have power to alter the said basis of assessment, except to increase for improvement by buildings, and to decrease for removal of, injury to or loss of buildings. Alteration of basis.

They shall grant exonerations to collectors for mistakes, indigent persons and for other sufficient causes. Exonerations.

SECTION 96. They shall cause correct duplicates of the taxes assessed to be made, one for each ward, and to be delivered to the city treasurer on or before the third Monday of May, in each year. Duplicates of taxes to be delivered to treasurer.

SECTION 97. Said city treasurer shall thereupon have power and authority, and is hereby required, to receive and receipt for all and every such taxes until and on the first Monday of August thereafter, abating five per centum of the amount thereof on every such tax paid on or before said last named day. Treasurer to receive and receipt for taxes.

SECTION 98. If any such taxes remain unpaid after said last named day, said councils shall cause revised collector's duplicates to be made thereof, and cause five per centum on the amount of every tax so remaining unpaid to be added thereto, which duplicates, with the mayor's warrants for the collection thereof, they shall cause to be delivered to the collectors of the respective wards. Duplicates of unpaid taxes to be delivered to collector.

SECTION 99. Every such collector shall have the same power and authority for the collection thereof, and in the same manner as collectors of county rates and levies for said county. Power and authority of collector.

SECTION 100. Every such collector shall pay over and account for the whole amount of such duplicate within four months after he shall have received said duplicate. To account for amount of duplicate.

SECTION 101. On failure so to do, the bond of such collector and his sureties may be sued and prosecuted to judgment, execution and satisfaction; in every such action the city shall be entitled to recover the whole amount of such duplicate, (less the portion thereof paid before suit brought,) with six per centum per annum interest thereon from the date of his default until judgment, and the costs of suit; no stay of execution and no exemption shall be allowed on any such judgment or execution. Failure to account.

SECTION 102. If any person appointed such collector, having taken upon himself the duties of his office, shall die, remove from the city, become insane or otherwise incapable of performing the duties of his office, the said councils shall cause a new revised duplicate to be made of the taxes supposed to be uncollected, and cause the same to be delivered, with the mayor's warrant for the collection thereof, to a new collector, to be by said councils appointed; and such new When new collector to be appointed.

To take oath and give bond.	collector shall qualify himself by his official oath and bond as if he had been originally appointed collector, and thereupon he shall proceed, and have power and authority, and be liable as an original collector.
Original collector not released.	No such supplementary proceedings shall release the original collector or his sureties, their executors or administrators, from liability for the amount of taxes collected by said original collector.
Taxes heretofore assessed and not paid.	SECTION 103. The state, county and road taxes heretofore assessed within said city limits, and not yet collected or paid, shall be collected, paid and applied as if this act had not been passed.

OF ROADS, STREETS, ALLEYS, ETC.

Method of laying out streets, &c.	SECTION 104. The method of laying out, changing, extending, widening, straightening or vacating roads, streets, alleys, lanes and courts, and ditches or drains for the purpose of draining wet lands or water through or over the lands of others, shall be substantially as follows, viz.:
Persons to petition councils.	SECTION 105. Any person or persons desiring the same, shall apply by petition to the city councils, stating their request with sufficient accuracy.
Councils to view premises or appoint viewers.	SECTION 106. Said councils shall, thereupon, either view the premises themselves, or by a commission appointed from their own number, or if the same shall be specially requested by the petition, shall appoint three viewers selected by the council from the reputable electors of the city.
When view to be commenced.	Every such view shall be commenced within ten days after the appointment of the viewers, and be prosecuted to completion as speedily as possible.
Meeting.	The time and place of their meeting shall be fixed by the councils, whereof five days' public notice shall be given by the city clerk.
Engineer to attend.	SECTION 107. The city engineer shall attend every such view, and perform and conduct the artistic work thereof.
Viewers to be sworn.	SECTION 108. Every viewer under this act (not a member of the councils) shall be sworn or affirmed to perform the duties of his appointment with fidelity.
Their duties.	SECTION 109. Said viewers shall examine the premises at the time appointed; hear the statements and evidence presented to them concerning the subject matter of the view; determine all or how much of the prayer of the petition should be granted or adopted; make monuments of their work on and at the premises; make and sign a report of their proceedings and conclusions, and forthwith file the same with the city clerk, who shall lay the same before the councils at their first meeting thereafter.
Draft to be annexed to report.	SECTION 110. Every such report shall have annexed to it, as part thereof, the engineer's draft of the premises, with the boundaries and other objects and obstructions, and such calculations and explanations as may be necessary for full and convenient understanding thereof.
Failure to attend view.	SECTION 111. If any viewer, or engineer, fail to attend, or give notice to the city clerk of his inability to attend any view to be held under this act, the said council, if it shall

meet before said view, and the mayor and clerk, if it shall not so meet, shall appoint a viewer or engineer to fill the place of such absenting one.

SECTION 112. No view shall be valid, unless held by three viewers and signed by at least two of them; but no view shall be invalid on account of any reasonable adjournments or continuances by the viewers. What deemed a valid view.

SECTION 113. Said viewers shall ascertain and include in their report the amount of damages sustained or which may be sustained, by the owners of property on the line of their work or view, by the carrying into effect of their proceedings and conclusions; and in so ascertaining they shall take into consideration the advantages and disadvantages which shall result to such property owners. Viewers to ascertain and report damages sustained

They shall also endeavor to obtain releases from any person in whose favor they shall report any damages, and attach all such releases obtained by them to their report, as part thereof. To endeavor to obtain releases.

SECTION 114. Within thirty days after the filing of any report the council shall afford, to all persons interested, opportunity to be heard by evidence and argument before them relative to their approval or disapproval of said report, or any part thereof. Council to give a hearing to parties interested.

SECTION 115. If said councils shall disapprove said report, or any part thereof, similar proceedings may be had for second or third views of the matters so disapproved. Disapproval of report.

SECTION 116. If said proceedings shall not be fully approved after the third view they shall be recorded as lost. Disapproval after third view.

SECTION 117. If said proceedings shall be approved by the councils, they shall thereupon, be enacted into an ordinance; but no such ordinance shall be carried into execution until the damages assessed shall have been paid or tendered by the city to persons entitled. Approval of proceedings.

SECTION 118. Private roads and ways may be laid out in like manner, when connected with a public highway, but the costs, expenses and damages in such cases shall be paid by the persons obtaining such private road or way; and every such private road or way shall be made, fenced, and with the fencing, kept in repair at the expense of and by the persons obtaining them. Private roads, relative to.

SECTION 119. Nothing herein contained shall be construed to prevent said city from obtaining similar results by contract. Construction.

SECTION 120. Any person aggrieved by any judgment or proceeding under this act, or under the ordinance, by-laws or regulations adopted in pursuance of it, may make complaint thereof to the next court of quarter sessions of said county. Persons aggrieved may make complaint to court of quarter sessions.

SECTION 121. Every such complaint, to be a *supersedeas* of proceedings, shall be commenced within twenty days after the same shall have been finished, by the party intending such complaint entering, with one or more sufficient sureties, into a recognizance double in amount of the supposed or estimated costs or damages, before the mayor of the city, (or alderman, if the proceedings shall be before him,) condition- Complaint to be a supersedeas of proceedings, when and how commenced.

ed that the appellant shall pay all the costs and damages which may be adjudged against him in said proceeding, and that he will prosecute his appeal with effect.

Appellant to file copy of proceedings, &c., in court.

SECTION 122. On or before the first day of the next court of quarter sessions of said county thereafter, the appellant shall cause to be filed in said court, a copy of the proceedings complained of and of said recognizance, and shall, by writing filed therewith, designate the specific subjects and grounds of his complaint, otherwise his appeal shall be treated as abandoned.

Court to inquire into and determine matter complained of.

SECTION 123. Said court shall then, on application, direct the method of inquiry and trial as to said matter complained of, and shall proceed, with all due dispatch, to hear and determine the same; which determination shall be a judgment of said court, and may be proceeded in by execution from said court, or be certified back to the proper officers of said city for further proceedings therein, as said court shall order and direct.

MISCELLANEOUS.

Taking of private property.

SECTION 124. Private property shall not be taken for public uses without due process of law, nor without just compensation to the owner.

Sale, &c., of animals at large.

SECTION 125. No animal found running at large contrary to law or the ordinances shall be sold or killed, without notice to the owner and opportunity to reclaim and redeem the same, if such owner shall be known or can conveniently be found.

Stock in gas works, &c.

SECTION 126. Said city may take, hold, vote on and transfer stock in one or more gas works, water works, parks and cemeteries.

County bridges.

SECTION 127. County bridges within said city shall remain such as heretofore.

Jurisdiction of courts not abridged

SECTION 128. Nothing herein contained shall be construed to change or abridge the jurisdiction of the courts of said county relative to crimes or misdemeanors.

Proceedings pending in court may be pursued to completion.

SECTION 129. Proceedings pending in any of said courts relative to any matter of which jurisdiction is by this act granted to said city, may, at the election of the prosecuting party, be pursued to completion therein as if this act had not been passed.

Members of borough councils trustees to collect debts, &c.

SECTION 130. The members of the town council of the borough of Monongahela City, who shall be in office at and immediately before the organization of said city, shall be trustees of said borough to collect all debts due it, and to sell and convey its real estate, and to transfer the proceeds thereof, and other moneys of said borough, to the said city; and the councils of said city are hereby required to provide, in the adjustment of taxes, equitable allowance to the property within the limits of the former borough, for the amount of such property and money so transferred.

Borough ordinances extended to.

SECTION 131. The ordinances of said borough, so far as applicable, are hereby extended to said city, to take effect immediately upon its organization, and shall remain in force until altered or supplied by said city.

SECTION 132. Said city is hereby authorized to pay the ex-
penses necessarily incurred by individuals in the proceedings
to obtain this charter. City may pay cer-
tain expenses.

SECTION 133. The franchises and functions of the said bo-
rough of Monongahela City, shall in nowise be suspended
until the said city shall have been organized. When borough
franchises to be
suspended.

SECTION 134. Said city shall be held as organized when its
first mayor and councils shall have been sworn, and thence-
forth shall be the legal successor of the borough of Mononga-
hela City. When city to be
held as organized.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 405.

An Act

Validating assessments for re-grading Forty-fourth street, and grading,
paving and curbing a portion of Tustin street, in the city of Pitts-
burg.

WHEREAS, The street committee of the councils of the city
of Pittsburg, directed and had re-graded, without an ordin-
ance of said councils, Forty-fourth street in said city, whereby
damages were sustained by a portion of the property abutting
on said street; and assessments have been made for the
amount of said damages, in accordance with the acts of assem-
bly in such cases made and provided: Preamble.

And whereas, Tustin street, from Seneca to Brady streets,
in said city, was graded paved and curbed by virtue of an
ordinance of the councils of said city, and assessments have
been made for the cost of such improvement upon the pro-
perty abutting thereon:

And whereas, Doubts have arisen as to the validity of said
assessments for re-grading Forty-fourth street, for the reason
that the same had not been made by virtue of an ordinance
of the councils of said city, and as to the validity of said as-
sessments for grading, paving and curbing said Tustin street,
for the reason that a majority in interest of owners of property
abutting on said street had not petitioned councils for the
ordinance under which the same was improved; therefore,

SECTION 1. *Be it enacted, &c.*, That the said assessments
for the damages by re-grading of said Forty-fourth street are
hereby legalized and made valid as though said street had
been re-graded by virtue of an ordinance of councils of said
city. Assessments for
re-grading Forty-
fourth street, vali-
dated.

SECTION 2. That the grading, paving and curbing of said
Tustin street, from Seneca to Brady streets, is hereby legal-
ized and made valid, and the assessments therefore yet un-
Grading, &c., of
Tustin street, le-
galized.

paid may be collected as though the ordinance of the councils of said city, under which said improvement was made, had been petitioned for by a majority in interest of the property owners abutting upon said street.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 406.

An Act

To regulate the election of school directors in certain districts.

Election, &c., of
directors.

SECTION 1. *Be it enacted, &c.,* That at the city election to be held on the first Tuesday of May, Anno Domini one thousand eight hundred and seventy-three, the qualified voters of the First ward of the city of Wilkesbarre shall elect one person, a citizen of said ward, to serve as school director for the term of three years, who shall, when so elected, represent said ward in the board of school directors of the first school district of the city of Wilkesbarre, for and during the term for which he shall have been so elected; and no member of said school board shall, after the first Monday of June, Anno Domini one thousand eight hundred and seventy-three, represent a ward or election district in said school board unless he shall have been elected by the citizens thereof, or legally appointed by the school board therefrom to fill a vacancy, and is himself a citizen and a *bona fide* resident of the ward or election district he represents; and it is hereby provided and declared that the several terms of office of the several members of said school board now acting, whose terms of office or periods for which elected are not specified or set forth in the returns of their several elections, shall expire on the first Monday of June, Anno Domini one thousand eight hundred and seventy-three, and all allotments heretofore made by said school board are hereby declared void.

Repeal.

SECTION 2. All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 407.

An Act

To extend the provisions of an act, entitled "An Act regulating the election and terms of office of burgess and town council of the boroughs of Brookville and Indiana," to Homer City, Indiana county.

SECTION 1. *Be it enacted, &c.,* That the provisions of an act regulating the election of burgess and town council of the boroughs of Brookville and Indiana, fixing their terms of office and increasing their powers, approved the twelfth day of March, one thousand eight hundred and sixty-nine, be and the same are hereby extended to Homer City, in Indiana county, and the statements to be published, as mentioned in the fourth section of said act, shall be published in at least two newspapers printed in the borough of Indiana, annually hereafter, beginning on the third week in May, one thousand eight hundred and seventy-three.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 408.

An Act

To annul the marriage contract between Michael Thompson, of Carbon county, and Mary Thompson, his wife.

SECTION 1. *Be it enacted, &c.,* That the marriage contract between Michael Thompson, of Carbon county, and Mary Thompson his wife, be and the same is hereby annulled and made void to all intents and purposes; and the said parties are hereby released and set free and discharged from said contract and the duties and obligations thereunder, as fully, effectually and absolutely as if said marriage contract had never been made.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 409.

An Act

To increase the pay of the directors of the poor of Fayette county.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act the pay of the directors of the poor and house of employment of Fayette county, shall be three dollars per day each, for every day necessarily employed in the discharge of their official duties: *Provided*, That the whole amount to be received by any director, in any one year, shall not exceed the sum of one hundred dollars.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 410.

A Supplement

To an act, approved April fifteenth, Anno Domini one thousand eight hundred and sixty nine, to allow the school directors of Fayette City, Fayette county, to appropriate certain school tax to building purposes, and to levy and collect a per capita tax for like purposes.

SECTION 1. *Be it enacted, &c.*, That the school directors of Fayette City, Fayette county, are hereby authorized to levy and collect a per capita tax, as provided for in the second section of said act, for a further period of five years, from and after the passage of this act.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 411.

An Act

Extending an act, entitled "An Act relating to roads in Worth township, Butler county," to Clay and Cranberry townships, in said county.

Act extended.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act relating to roads in Worth township, Butler county," approved March sixteenth, one thousand eight hundred and sixty-six, be and the same are hereby extended to Clay and Cranberry townships, Butler county.

SECTION 2. The existing road laws, so far as they relate to Repeal.
Clay township, Butler county, inconsistent herewith, are hereby repealed.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 412.

An Act

Authorizing the erection of a building in the village of Sugar Grove, county of Warren, for the use of the people of Sugar Grove township in the holding of elections, primary and township meetings, and for the use of township officers, and empowering the road commissioners to levy and collect additional tax.

SECTION 1. *Be it enacted, &c.,* That the road commissioners of the township of Sugar Grove, in the county of Warren, be and they are hereby authorized and empowered to erect, or cause to be erected in Sugar Grove village, in said township, a building of sufficient dimensions to accommodate the people of said township in the holding of elections, public and township meetings, and for the use of township officers. Road commissioners authorized to erect building.

SECTION 2. That the commissioners of said township are hereby authorized and required to levy and collect a tax of To levy tax to pay for same. the taxable property of said township to pay for the building, repairing and furnishing of the same, which shall be under their control; said taxes to be levied and collected as state and county taxes are now by law collected: *Provided,* No more than two per cent. upon the assessed valuation of property, in addition to that now existing, shall be levied and collected.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT

No. 413.

An Act

To authorize the election of two constables in Pike township, in the county of Bradford.

SECTION 1. *Be it enacted, &c.,* That at the next election for the township of Pike, in the county of Bradford, and

each year thereafter, it shall be lawful for the electors thereof to elect two persons as constables of said township, each of whom shall be qualified according to law in such case made and provided: *Provided*, That it shall be the duty of the person receiving the highest number of votes to make the returns to court required to be made by the several constables of said county.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 414.

An Act

Relating to the erection of expensive bridges in the county of Bradford.

SECTION 1. *Be it enacted, &c.*, That when a river, creek or rivulet over which it may be necessary to erect a bridge crosses a road or highway, and the erection of such bridges require more expense than it is reasonable that a borough or an adjoining township and borough should bear, the court having jurisdiction shall, on the representation of the burgess and council of said borough, or on the petition of any of the inhabitants of said borough or township, order a view in the manner provided by the general law, in the case of roads; and if on the report of viewers, it shall appear to the court, grand jury and commissioners of the county that such bridge is necessary, and would be too expensive for such borough or boroughs and townships to bear, it shall be entered on record as a county bridge: *Provided*, That the provisions of this act shall extend only to the county of Bradford.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 415.

A Supplement

To an act relative to arbitrations in certain counties.

SECTION 1. *Be it enacted, &c.*, That the second and third sections of an act, entitled "An Act relative to arbitrations in certain counties," approved the sixth day of April, Anno

Portions of certain
act repealed as to
Erie county.

Domini one thousand eight hundred and seventy, be and the same are hereby repealed, so far as the same applies to the county of Erie.

SECTION 2. That in all cases when such arbitration is desired, either party to a suit may enter a rule for a legal arbitration in which there shall be but one arbitrator, and said arbitrator shall be a member of the bar of the court wherein the suit is pending. Entry of rule for legal arbitration.

SECTION 3. That the method of choosing the arbitrator, service of notices, length of rules and filing times of hearing shall be the same as under the compulsory arbitration law: Method of choosing arbitrator, service of notices, &c. *Provided*, That the provisions of this act shall only apply to the county of Erie.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 416.

An Act

Extending an act granting a pension to Nancy Jane O'Donnell, widow of D. Charles O'Donnell, deceased.

SECTION 1. *Be it enacted, &c.*, That the act approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven, authorizing and requiring the state treasurer to pay out of any money in the treasury not otherwise appropriated to Nancy Jane O'Donnell, of Perry county, widow of said D. Charles O'Donnell, the sum of ninety-six dollars annually, in half yearly payments, for the period of five years, to commence on the first day of January, one thousand eight hundred and sixty-seven, be and the same is hereby extended for a period of five years, commencing on the first day of January, one thousand eight hundred and seventy-two.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 417.

An Act

Extending the provisions of an act relating to road tax in the Sandy Hill district of the township of Madison, in the county of Perry, to the township of Jackson, in the same county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act relating to road tax in the Sandy Hill

district, of the township of Madison, in the county of Perry," be and are hereby extended to the township of Jackson, in the same county.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 418.

An Act

To enable the school directors of the borough of Chartiers, in the county of Allegheny, to borrow money.

Authorized to borrow money.

Issue bonds.

How executed.

Exempt from local taxation.

Loans, how applied.

May levy tax to pay loans.

Not to exceed one per centum.

Proviso.

SECTION 1. That the board of school directors of the borough of Chartiers, in the county of Allegheny, be and they are hereby authorized and empowered to borrow an amount of money, not exceeding ten thousand dollars, for a term of years not exceeding ten years, and to issue bonds or certificates of indebtedness for the same in sums not less than one hundred dollars each, with or without coupons, bearing interest at a rate not exceeding eight per centum per annum; said bonds or certificates to be executed by the president and countersigned by the secretary of the board, and shall be exempt from taxation under the laws of this commonwealth, except for state purpose: *Provided*, That all loans so made shall be applied exclusively to the purchase of ground and the erection of suitable school buildings thereon for the use of the public schools of said borough.

SECTION 2. That for the purpose of paying the interest on said bonds or certificates as it accrues, and redeeming said bonds or certificates at maturity, the said board of school directors are empowered to levy an annual tax not exceeding one per centum, to be levied and collected in the same manner as school taxes are now levied and collected in said borough, and to be exclusive of any tax now authorized by law; said tax hereby authorized to cease upon the payment of said bonds or certificates. *Provided*, That before exercising the privileges granted by this act, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 419.

A Supplement

To an act, entitled "An Act to allow the improvement of creeks and rivulets in the county of Cambria," approved March twenty-eight, one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That either party may file exceptions to the return and appraisement of the viewers appointed in pursuance of the fourth section of the act to which this is a supplement, at any time within ten (10) days after the first day of the term of the court of quarter sessions of Cambria county, to which the same shall be returnable; whereupon the court shall hear and determine the same, and may either confirm the said return and appraisement absolutely, or appoint reviewers, as the justice of the case may require; in which latter case the proceedings of the reviewers' appraisement, return and confirmation shall be as heretofore provided by law.

SECTION 2. That all acts and parts of acts inconsistent herewith are hereby repealed: *Provided*, That this act shall not apply to any case or application now pending or in litigation.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 420.

An Act

To regulate the admission of paupers into the poor and house of employment of Bedford county.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the orders of relief issued for the admission of paupers into the poor and house of employment of Bedford county, shall be signed by one justice of the peace of said county, instead of two as heretofore; and in addition thereto, said orders of relief shall in all cases be approved by the physician of the poor and house of employment of said county before any pauper shall be admitted into said almshouse, or become a charge on the county of Bedford.

SECTION 2. The physician of the poor and house of employment of Bedford county shall keep a record of all applications made to him for the approval of orders of relief, stating the name of the justice of the peace who issued said order, and

the officer, if any, executing the same, the date, name, age, sex and the rejection or admission of the person making application for relief, with the reasons for said rejection or admission, which record shall be quarterly submitted to the board of poor directors of said county: *Provided*, Said physician shall not receive extra compensation for this service.

APPROVED—The 25th day of March, A. D. 1873.
J. F. HARTRANFT.

No. 421.

An Act

To authorize the commissioners of roads and highways of the township of Athens, in the county of Bradford, to purchase a site, erect a town hall thereon, and to levy and collect taxes and issue bonds for the purpose of paying therefor.

SECTION 1. *Be it enacted, &c.*, That the commissioners of roads and highways of the township of Athens, in the county of Bradford, are hereby authorized and empowered, if deemed advisable, to procure by purchase, or otherwise, on a suitable place in the borough of Athens, in the county of Bradford, a site for the erection and use of a town hall, and to build or to cause to be built thereon a town hall to be used for election and other purposes: *Provided*, That the said commissioners shall not expend for the purposes aforesaid a sum exceeding fifteen thousand dollars.

SECTION 2. Said commissioners are authorized and empowered to use in the purchase of a site, and in the erection and completion of said town hall, any money now in the treasury of said township not otherwise appropriated, and if deemed necessary for the purposes aforesaid to raise money upon bonds, to be issued in the name of said township, and to levy and collect taxes to meet the payment of said bonds and to pay any expenses incurred for the purposes aforesaid: *Provided*, That said bonds shall not draw interest to exceed the sum of ten per centum per annum: *And provided further*, The tax levied and collected in any one year shall not exceed the sum of ten mills per dollar on the valuation for township purposes.

SECTION 3. That after said house shall have been erected and finished in pursuance of the provisions of this act, the qualified voters of said township shall hold their township and general elections thereat until otherwise provided by law.

SECTION 4. That the commissioners aforesaid shall have power to let such portions of said town hall as they in their discretion shall judge proper, the profits derived from rents

Proviso.

Town hall to be erected.

Cost limited.

Authorized to raise money on bonds.

Interest on, not to exceed ten per cent.
Proviso.

Elections to be held in.

Commissioners may let hall at discretion.

to be applied towards the payment of the expenses incurred in the purchase of a site, and in the erection and completion of said town hall until such expenses shall be fully paid, and thereafter to be paid into the treasury of said township for general township purposes.

How profits to be applied.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 422.

A Further Supplement

To an act relative to parks in the city of Harrisburg, approved the fourth day of April, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted, &c.*, That the citizens and owners of property on Front street, between State and Market streets, are authorized, at their own expense and by other voluntary contributions they may receive, to build a wall from the upper end of the stone wall commenced at the terminus of State street, to the abutment of the Harrisburg bridge at Market street, of sufficient thickness and height, the highest part not above the level of Front street, (between Market and State streets,) at any point along the line thereof; said wall shall be in a straight line from the wall at State street to the abutment of the Harrisburg bridge; they shall have authority at their own expense, et cetera, as aforesaid, to fill up with earth or other suitable material the space between the present river bank and the proposed wall; to erect a substantial fence or iron railing around the whole of the enclosure, (except at the passage way of Walnut street to the river, they shall have authority to erect over said passage way a foot bridge of sufficient span and height to permit wagons and carts through and under;) to ornament the grounds of said enclosures by planting trees, erecting fountains, and laying out the same in avenues, but not to erect any building or other obstruction of the kind on the same: *Provided*, That no expense shall fall upon the city of Harrisburg, and the whole improvements shall be for the use of the public, free of charge at all times hereafter, and said enclosures shall be known by the name of Promenade park.

Citizens authorized to build a wall from State to Market streets.

To erect a fence.

To be called Promenade park.

SECTION 2. The said Promenade park and the improvements necessary to create and maintain the same, shall be organized under the following board of commissioners, consisting of J. D. Cameron, Jacob F. Seiler, George Wolf Buehler, Mrs. Mary H. Espy, David M'Cormick, Wallace DeWitt, Gov. J. F. Hartranft, Rev. R. J. Keeling, D. D., John B. Cox, Henry M'Cormick, Mrs. Mary E. Ross, Jacob C. Bomberger, Mrs. Eliza M'Cormick, Daniel D. Boas, Jacob S.

Board of commissioners.

Haldeman, G. W. I. Beatty, Henry Gilbert, Francis Wyeth, William Buehler, Rt. Rev. J. F. Shanahan, D. D., William Colder, James M'Cormick, Jr., Mrs. Eliza E. Haldeman, J. V. Cresswell, Rev. T. H. Robinson, D. D., A. J. Herr, Mrs. John H. Briggs, Doctor Mortimer O'Conner, Joshua M. Weistling, George W. Hummel, Mrs. John A. Stehley, I. M. Kelker and Mrs. Ellen J. Bucher; said commissioners, or any nine of them, shall meet for organization within thirty days after the passage of this act, upon ten days' notice having been given for such meeting in two daily papers in the city of Harrisburg, with power to elect a board of commissioners, (selected from the above named commissioners,) to consist of not more than nine, a majority of whom shall have power to make all reasonable rules and regulations for the improvement, superintendence, protection and management of the same; and in case of vacancies in the board, it shall be competent for the board to fill such vacancy or vacancies some citizen holding property between State and Market streets aforesaid.

Notice of organization.

Vacancies, how filled.

Violation of rules, how punished.

SECTION 3. That the violation of any of the rules and regulations which shall be adopted by said commissioners for the management, improvement, protection and superintendence of said Promenade park, shall be punished by such fines and penalties provided by said commissioners, to be collected by an action for the same before the mayor or an alderman of the city of Harrisburg.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 423.

An Act

Relating to roads, highways and bridges in the county of Centre.

SECTION 1. *Be it enacted, &c.*, That hereafter it shall be the duty of all persons appointed by the court of quarter sessions of the peace of Centre county, to view and review any public or private road or bridge, to give public notice, by at least three printed or written advertisements, put up in the vicinity of the contemplated route of such road, or location of such bridge, of the time and place where the said viewers will meet for the purpose of making such view or review, at least five days before such meeting.

Notice to be given of views.

Viewers procure releases.

SECTION 2. That if the viewers shall decide in favor of locating such road or bridge, it shall be their duty to endeavor to procure from the persons over whose land such location may be made, releases from all claims for damage that

might arise from the opening of such road, or the building of such bridge; and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages, and make report thereof, signed by a majority of their number, and return the same, together with all releases obtained, to the court of quarter sessions.

SECTION 3. That it shall be the duty of the court to examine carefully the amount of damages assessed as aforesaid, and if said court shall be satisfied that the amount of damage assessed, in any case, is such that the public interest will be subserved by its payment, and the opening of the road or the building of the bridge, said court shall confirm such view or review, and the assessment of damages; which damages shall be paid by the proper township or borough, in which the property damaged may be located; but if said court shall not be so satisfied, the report shall not be confirmed, unless the damages so assessed shall be first paid by the petitioners for such view or review: *Provided*, That in case a view and review return the same road for public or private use, and report different amounts of damage, the said court shall have the power, and it is hereby authorized to confirm either report, and the amount of damages allowed in the report thus confirmed shall be the amount that such township or borough will be liable to pay.

SECTION 4. That it shall be the duty of the supervisors of the several townships in said county, to require all persons rated and charged with road taxes, in their respective townships, in pursuance of the act of April fifteenth, one thousand eight hundred and thirty-four, to work out said taxes prior to the first day of August, in each and every year; and on failure to comply with such requirement, the taxes remaining unpaid on the first day of August shall be thereafter payable in money; and the said supervisors shall immediately thereafter make out a duplicate of such unpaid taxes, and shall issue their warrant, with such duplicate, to the collector of county rates and levies, for such township, therein authorizing and requiring him to demand and receive from every person in such duplicate named, the sum wherewith such persons stand charged: *Provided*, That said supervisors, or either of them, may demand and receive the taxes contained in such duplicate, with the same power and authority as the said collectors might do upon the receipt of such warrant and duplicate.

SECTION 5. That it shall be lawful for the supervisors of any township in said county, in addition to the authority conferred by the twenty-fifth section of the act of April fifteenth, one thousand eight hundred and thirty-four, to levy a rate or assessment not exceeding ten mills on the dollar of the adjusted valuation and to collect the same in money, for the purpose of discharging any just debt, due from such township, of paying damages assessed for the laying out and opening of roads, and of paying for the erection and repair of bridges.

SECTION 6. That it shall be lawful for the said supervisors of the several townships, in said county, to make contracts in

Assess damages.

Duty of the court.

Damages to be paid by township or borough.

When by petitioners.

Where different amount of damages are reported.

Duty of supervisors.

To require road taxes to be worked out.

When payable in money.

How collected.

Supervisors may collect.

May levy a tax to pay debts.

May make contracts for grading, &c.

writing with any person or persons owning lands adjacent to any public road, for grading, repairing, macadmizing or constructing upon any other plan, such road in accordance with plans and specifications to be furnished by said supervisors; and when the work provided for in said contract shall have been fully completed and accepted by said supervisors, they shall issue to the said contractor a certificate showing the amount due said contractor, and describing the lands owned by him, adjacent to the road or part of road so improved, the amount of which certificate shall be used in payment of all taxes assessed by the supervisors of said township, upon such land until the amount of such certificate shall be exhausted: *Provided*, That before such certificate shall be used in the payment of taxes assessed for any year subsequent to the one in which the contract was made, said certificate shall be approved by the township auditors, which approval shall be endorsed in writing upon said certificate, and the amount of taxes assessed upon such lands for each successive year, shall be endorsed upon each certificate until the same is exhausted.

SECTION 7. That it shall be the duty of the clerk of the court of quarter session of said county, to procure and keep in his office a book to be called the road docket, in which he shall record all petitions for roads or bridges immediately after the original views shall be granted, and note on said docket each subsequent step taken in reference to said road or bridge.

SECTION 8. That all acts and parts of acts inconsistent herewith be and the same are hereby repealed.

APPROVED—The 25th day of March, A. D. 1873.
J. F. HARTRANFT.

To issue certificates in payment.

Certificates receivable for taxes.

Provided.

When certificate to be approved by township auditor.

Duty of clerk of quarter sessions.

Road docket to be kept.

Repealing clause.

Miners' wages regulated.

Contents of a bushel.

No. 424.

An Act

To protect miners in the bituminous coal regions of this commonwealth.

SECTION 1. *Be it enacted, &c.*, That after the period of three months, from the passage of this act, any miner employed by an individual, firm or corporation for the purpose of mining coal, shall be entitled to receive from his employer, and failing to receive, then to collect by due process of law, at such rates as may have been agreed upon between the employer and employed, full and exact wages accruing to him for the mining of all sizes of merchantable coal so mined by him, whether the same shall exist in the form of nut or lump coal; and in the adjudication of such wages seventy-six pounds shall be deemed one bushel, and two thou-

sand pounds, net, shall be deemed one ton of coal; that the provisions of this act shall only apply to the counties of Allegheny, Lawrence, Butler, Beaver, Mercer, Westmoreland, Fayette and Washington: *Provided*, That nothing contained in this act shall be construed to prevent operators and miners contracting for any method of measuring and screening the coal mined by such miners as they may select.

2,000 lbs. to be deemed one ton.
Where applicable.
Method of measuring may be fixed by contract.

SECTION 2. That at every bituminous coal mine in the counties aforesaid where coal is mined by measurement, all cars filled by miners or their laborers shall be uniform in capacity at each mine; no unbranded car or cars shall enter the mine for a longer period than three months without being branded by the sealer of weights and measures of the county wherein the mine is situated.

Cars to be uniform in capacity.
To be branded.

SECTION 3. That at every bituminous coal mine in the aforesaid counties the miners shall have the right to employ a competent person as check-weighman, who shall be permitted at all times to be present at the weighing of coal. It shall be a further duty of said check-weighman to see that each miner is correctly credited with all merchantable coal mined by him. When differences arise between the check-weighman and the agent or owners of the mine as to the uniformity, capacity or correctness of the scales or cars used, the same shall be referred to the sealer of weights and measures of the county where the mine is located, whose duty it shall be to regulate the same at once, and in the event of said scales and cars proving to be correct, then the party or parties applying for the testing thereof, to bear all costs and expenses thereof, but if not correct, then the owner or owners of said mine to pay the costs and charges of making said examination.

Check-weighman may be employed.
His duties.
Duty of sealer of weights and measures.
How paid.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 425.

An Act

Relating to auctioneers in the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That upon any citizen of the United States, and of the state of Pennsylvania, paying into the state treasury the sum of five hundred dollars, and giving bonds in the sum of two thousand dollars, with two or more sufficient securities, to be approved of by the judges of the court of common pleas in the city of Philadelphia, the governor thereupon shall grant him a commission of the sixth class, for one year, to make sales, to any amount, by auction or by public outcry, or on commission, in said city, of horses,

cattle and live stock, of all descriptions, and vehicles of all kinds, together with all articles used therewith, or connected with the keeping of them.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 426.

An Act

Relating to appeals from justices of the peace, and fees of justices of the peace and constables in the counties of Montgomery, Wyoming and Susquehanna.

Appealing party to pay fees.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, in all cases of appeal from the judgments of justices of the peace in the counties of Montgomery, Wyoming and Susquehanna, the party or parties appealing shall pay to the justice, before whom the case was tried, all his fees, and all the constable's fees, in the case; and the said justice shall receipt in his record, for said fees, so that it shall appear on the transcript; the same to abide the final determination of the case, as all other costs thereon; and no appeal need be allowed by the justice till said fees are paid.

Repealing clause.
When appeals to be allowed without payment of costs.

SECTION 2. That all laws inconsistent with this act be and the same are hereby repealed: *Provided*, That when parties make oath or affirmation that they are unable to pay such costs appeals shall be allowed without such pre-payment.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 427.

A Supplement

To an act to incorporate the Fort Hunter Road Commission, approved March fifteenth, one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the Fort Hunter Road Commission, to cause to be erected such number of toll-gates upon the line of their road as they may deem necessary, and to establish such rates of toll as they may deem proper: *Provided*, That the owners and residents of land abutting upon said road, and holders of the bonds issued by said commission shall be exempt from the payment of any toll.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 428.

An Act

To extend the provisions of the fourth section of an act, entitled "An Act authorizing Francis Patrick Kenwick, bishop of Philadelphia, to convey certain real estate in the borough of York, and a supplement to the charter of the said borough," approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-one, to include the entire county of York.

SECTION 1. *Be it enacted, &c.*, That the provisions of the fourth section of an act approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act authorizing Francis Patrick Kenwick, bishop of Philadelphia, to convey certain real estate in the borough of York, and a supplement to the charter of the said borough," be and the same are hereby extended to and to include the entire county of York: *Provided however*, That all fines collected under this act shall be paid into the county treasury of said county.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 429.

An Act

To authorize the board of school directors of Wellsboro' school district, in the county of Tioga, to borrow money and to levy and collect taxes for the purpose of erecting suitable school buildings in said borough.

SECTION 1. *Be it enacted, &c.*, That the board of school directors of Wellsboro' school district, in the county of Tioga, be and they are hereby authorized and empowered to borrow such sum or sums of money as they shall deem necessary, not exceeding in the aggregate twenty thousand dollars, for the purpose of erecting suitable school buildings in said borough.

Authorized to borrow money.

Limit.

SECTION 2. The said board of directors are hereby authorized to issue bonds in the name of said district, signed by the president and attested by the secretary of said board, bearing interest at such rate not exceeding eight per centum per annum, and payable at such time and place, and in such sums as they shall deem best for the interest of all concerned, and the said bonds shall not be subject to taxation except for state purposes.

May issue bonds.

Limit of interest.

To levy tax. SECTION 3. The said board of directors is hereby authorized and empowered to levy and collect, in the manner now provided by law, for the assessment and collection of school taxes in said borough, an annual building tax on all property, money at interest, persons, professions, trades and occupations, now by law subject to taxation for school purposes in said borough, sufficient to pay and redeem the said bonds as they shall mature and become payable by their terms when fixed by said board, with a poll tax not exceeding three dollars on each person, by law now subject to personal tax for school purposes, and a rate tax not exceeding two cents on the dollar of the last assessed valuation adjusted at the time of any such levy and assessment of said building tax; and this act shall not affect the levying and collection of the ordinary school or building taxes in said district; the receiver of taxes, the constable and the treasurer of said district shall be required to give bond to said district, with good and sufficient sureties, in double the sum to come into their custody, and shall receive for their services such reasonable commission as said board shall determine, and they shall pay out the money coming into their hands, on the orders of said board at sight, to the holders thereof, and they shall settle their accounts whenever required to do so by said board; the said board shall have power to abate the said taxes of indigent persons in their discretion, whenever it shall be a great hardship to enforce the collection thereof; the said board shall have power to purchase a suitable lot upon which to erect the said buildings, which shall be paid for out of the said building fund or any other fund within their control, which they now have or may hereafter receive for this purpose; and any surplus remaining in their hands from said funds, after the erection of said buildings, may be used for repairs of school buildings, or for the purchase of school furniture: *Provided*, That before exercising the privileges granted by this act, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing money.

Poll tax.

Receiver of taxes, &c., to give bond.

Board may abate taxes.

May purchase lot.

Power of court to be first exhausted.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 430.

An Act

To authorize the school directors of Kingston township, Luzerne county to borrow money.

SECTION 1. *Be it enacted, &c.*, That the board of school directors of the township of Kingston, in the county of Luzerne, be and they are hereby authorized and empowered to

borrow an amount of money not exceeding twenty-five hundred dollars for a term not exceeding two years, and to issue bonds or certificates of indebtedness for the same in sums not less than one hundred dollars each, bearing interest at a rate not exceeding eight per centum per annum; said bonds or certificates of indebtedness to be executed by the president and countersigned by the secretary of the said board, and shall be exempt from taxation, except for state purposes; the said money so borrowed to be used for the purpose of paying the indebtedness of said township incurred in erecting, completing and furnishing a new school house known as the Bennett grammar school, and for no other purpose.

APPROVED—The 25th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 431.

An Act

Authorizing the opening, grading, paving and curbing of Stanton avenue, from Hiland avenue to Butler street, and M'Candlass avenue, in the city of Pittsburg.

SECTION 1. *Be it enacted, &c.,* That the councils of the city of Pittsburg, are hereby authorized to cause to be opened, graded, paved and curbed, Stanton avenue, from Hiland avenue to Butler street, and also M'Candlass avenue, in said city, in accordance with and subject to the provisions of the several acts of assembly relating to the opening, grading, paving and curbing of streets and avenues in said city: *Provided however,* That so much of the eleventh section of the act approved April first, one thousand eight hundred and sixty-eight, entitled "An Act supplementary to an act incorporating the city of Pittsburg," and of the twenty-sixth section of an act, entitled "An Act to provide for the improvement of Penn avenue and other avenues and streets in the city of Pittsburg," approved second April, one thousand eight hundred and seventy, as prevents the councils of said city from ordering the opening, grading, paving and curbing of any street or avenue in said city, without the written consent of a majority in interest of property holders abutting thereon, shall not be applicable to Stanton and M'Candlass avenues aforesaid.

APPROVED—The 24th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 432.

An Act

An Act to provide for the improvement of Second avenue, in the city of Pittsburg.

Property owners
authorized to elect
commissioners.

SECTION 1. *Be it enacted, &c.*, That the owners of property abutting on Second avenue, in the city of Pittsburg, between the Birmingham bridge and the railroad crossing, near Greenwood station, shall be and are hereby authorized to elect five citizens of Pittsburg, owners of property abutting as aforesaid, to be known as commissioners of Second avenue improvement, whose duty it shall be to control and superintend the grading, curbing and paving of that part of said avenue above mentioned, and who shall serve without salary.

Their duties.

Election board.

SECTION 2. That Thomas S. Blair, John C. Stevenson and Dr. Cadwallader Evans shall be and are hereby authorized to conduct said election, which shall be held at such time as they or a majority of them shall appoint, not exceeding twenty days after the approval of this act; of which election they shall give at least ten days' notice, by advertisement in three daily papers published in said city, and by handbills posted conspicuously along the route of said improvement, and throughout the Fourteenth, Twenty-second and Twenty-third wards of said city; and if any of said election officers shall fail to attend at the time and place appointed, the owners of property present shall select a person or persons to serve in his or their stead.

Election, how conducted.

SECTION 3. Said election shall be conducted in the manner prescribed in the act of assembly, passed the (2d) second day of April, Anno Domini one thousand eight hundred and seventy, entitled "An Act to provide for the improvement of Penn avenue and other avenues and streets in the city of Pittsburg;" and the commissioners there elected shall have the same powers and privileges as are conferred by said act upon the Penn avenue commissioners, except as hereinafter provided.

Powers of commissioners.

Commissioners to ascertain amount of bonds.

SECTION 4. When the improvement herein provided for shall have been completed, it shall be the duty of the said commissioners to ascertain the entire amount of the bonds sold by them, and the interest thereon to the first day of October preceeding, which shall be taken to be the cost of said improvement; whereupon the said commissioners shall present a petition to the court of quarter sessions of Allegheny county, asking for the appointment of viewers to assess the amount of damages, if any, and the cost of said improvement; whereupon it shall be the duty of said court to appoint three disinterested freeholders, citizens of Pittsburg, as viewers to perform said duty.

To petition for viewers to assess damages.

City engineer to prepare plot.

SECTION 5. Said viewers shall cause the engineer of said city to prepare for their use, and by their special direction, a

plot showing said improvement and all lots or parcels of land in said city that shall be benefited thereby; and said plan shall give, as near as can be, an accurate description of such lot, property, piece or parcel of land, and the improvements thereon, and the name of the owner or owners, or the reputed owner or owners thereof; they shall give ten days' notice, by advertisement in three daily newspapers of said city, of the time and place of their first meeting; they shall view each lot, property, piece or parcel of land on said plot; they shall assess the cost of said improvement and the amount of damages, if any, equitably and justly upon all lots, lands, pieces or parcels of land described in said plot, and benefited by said improvement; in proportion to the benefit thereto derived directly, or likely to be derived from the completion of said improvement, and after they shall have completed the assessments they shall exhibit the same at the office of the board of viewers in Municipal Hall, in said city, giving ten days' notice thereof in a newspaper of said city, and also by handbills posted conspicuously along said avenue and in the district benefited, where all parties interested shall be heard; and they may make any corrections or modifications in said assessments that they may deem just and proper, and shall make a report to the councils of said city, accompanied by the plot aforesaid, of all their actions in the performance of their duties as viewers; and councils shall hear any appeal or further complaints made by any party aggrieved by said report, and shall have power to send back the same for further action or for revision; and when said report and assessments shall have been finally acted on and approved by said councils, the same shall be final and conclusive without exception or appeal.

Notice of meeting of viewers.

How damages assessed.

Notice to be given of assessment of damages, &c.

To report to councils.

Councils to hear appeals.

When report to be final.

SECTION 6. The said improvement shall be carried on and completed under the provisions of the above recited act, entitled "An Act to provide for the improvement of Penn avenue and other avenues and streets in the city of Pittsburg," except where the same shall conflict with this act; and all the provisions of said act, not conflicting herewith, are hereby extended to the Second avenue improvement.

Provisions of Penn avenue extended.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 433.

A Further Supplement

To an act, entitled "An Act to incorporate the president, managers and company of the Fox Chase and Huntingdon Turnpike Road Company," approved the twenty-eighth day of March, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted, &c.,* That the stockholders of the Fox Chase and Huntingdon Turnpike Road Company, are

hereby authorized and empowered to increase the rate of tolls on all turnpike roads, belonging to said company, to an amount not exceeding two cents per mile, per horse, and that they shall have the same power to drain the water off their road as supervisors of common roads have. All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 434.

A Further Supplement

To an act to amend the charter of incorporation of the borough of Bristol, granted the fourteenth day of November, Anno Domini one thousand seven hundred and twenty, and the several acts supplementary thereto, approved the fifteenth day of February, Anno Domini one thousand eight hundred and fifty-one, authorizing the burgess and council of the said borough of Bristol, in the county of Bucks, to appoint policemen, levy, assess and collect taxes, and making said taxes liens upon real estate; to elect a treasurer of said borough; to curb and pave the streets of said borough, and providing for the assessment and collection of the expenses thereof, and to prohibit and remove nuisances.

Burgess and council may appoint policemen.

SECTION 1. *Be it enacted, &c.,* That the burgess and council of the borough of Bristol, in the county of Bucks, shall hereafter have full power and authority to appoint any number of men they may deem necessary, to act as policemen in said borough, fix and regulate their pay, prescribe their term of office and establish such regulations for the government of the men so appointed as the said burgess and council may deem necessary and proper; and the men so appointed shall each have the same power and authority to make arrests, and serve and execute warrants, and to keep the peace within the said borough, as constables now by law have within this commonwealth.

Their power and authority.

Burgess and council to levy tax.

SECTION 2. That the burgess and council of the borough of Bristol aforesaid shall annually, on or before the second Monday of May, have full power and authority to levy and assess on all property, subjects and things in said borough of Bristol, taxable for county purposes, except moneys on interest and stocks of all kinds, according to the last adjusted valuation to be furnished by the assessor, such an amount of tax not exceeding one hundred cents on the one hundred dollars, in any one year, as they may deem necessary and proper for the use of the said corporation for the ensuing year: *Provided*, That said tax shall not exceed seventy-five cents on the one hundred dollars in any one year, unless the vote

Limit of.

Proviso.

of two thirds of the members of the entire council shall be recorded in favor of a higher rate ; and when the said burgess and council shall have levied and assessed the tax as aforesaid, the clerk of the council shall make out and certify a correct duplicate of the same, showing the amount with which each person, firm and corporation stands charged with borough tax, which said duplicate the burgess shall attest with his signature and the seal of the corporation, and deliver it to the treasurer of the said borough to collect the said tax ; on the receipt of the said duplicate, the said treasurer shall give at least thirty days' notice by not less than ten written or printed advertisements, to be put up in the most public places in said borough, and also by publication three times in one newspaper printed in said borough, if such there be, that he will attend at the usual place of holding borough elections on two days to be named in said advertisements, for the purpose of collecting and receiving the borough tax ; and the said treasurer shall collect and receive the said tax, giving receipts therefor in all cases when required by the person paying the same ; and all persons paying their tax to the said treasurer on the said days, or before the burgess shall issue his warrant in the manner hereinafter provided, shall be entitled to an abatement of five per cent. upon the amount thereof ; and as a compensation for collecting the said tax, the said treasurer shall receive two per cent. upon all taxes received by him upon the day aforesaid ; and in case any borough tax shall remain unpaid for a period of sixty days, from and after the last day on which the said treasurer shall have attended for the purpose of receiving same as aforesaid, it shall be the duty of the burgess to issue his warrant with a schedule, which the said treasurer shall return to him of all such unpaid borough tax, and the names of the persons respectively to whom the same is charged in the proper duplicate directed to the constable of the said borough, whose duty it is hereby made to receive and execute the same, authorizing and requiring the said constable to demand and receive from the persons named in the said schedule, the sums with which they are charged therein respectively, together with five per cent. on the amount thereof, which percentage shall in all cases be collected and retained by the said constable for his compensation ; and in case any person so charged with borough tax shall fail to pay the amount thereof, together with the percentage aforesaid, within five days after the demand made thereof by the said constable, the constable may levy the same by distress and sale of the goods and chattels of said delinquent, giving at least six days' notice of such sale by at least six written or printed advertisements ; and in all such cases the said constable shall, in addition to the percentage hereinbefore allowed, be entitled to receive and retain out of the proceeds of such sale, after first deducting the borough tax and percentage aforesaid, the same fees as are now allowed by law to constables for a levy and sale upon a writ of execution ; and no person or persons whose goods and chattels have been levied upon by the said constable for the payment of borough tax and percentage as aforesaid, shall be entitled

Duplicate to be given the treasurer

Notice by treasurer

Tax to be paid to treasurer.

Abatement allowed.

Treasurer's compensation.

Duplicate of unpaid taxes to be delivered to the constable.

Five per cent. added for his compensation.

Constable authorized to distrain.

No exemption allowed.

to the benefit of any law exempting any of his, her or their property from levy and sale under an execution of distress for rent; and in case the said constable shall be unable to find any goods and chattels of any delinquent taxpayer, either resident or non-resident of said borough, out of which the borough tax, percentage and costs can be made by levy and sale as aforesaid, it shall be the duty of said constable to certify the same to the burgess of the said borough, who shall make out, or cause to be made out, a certificate of such unpaid borough tax and percentage as aforesaid, and any costs which may have been incurred in attempting to collect the same, and enter the said certificate in the prothonotary's office of the county of Bucks, which said certificate shall be in the following form, namely: The burgess and council of the borough of Bristol versus ———, borough tax \$ ———, percentage \$ ———, costs \$ ———; and it shall be the duty of the said prothonotary of the court of common pleas of the county of Bucks, to enter the said certificate in the judgment docket of said court, in the same way and manner as certificates from the treasurer of the county of Bucks for unpaid county taxes are now by law entered; and the said certificate when entered as aforesaid, shall be liens against the real estate of such delinquent taxpayer situate within the said borough of Bristol until paid, together with costs of entering; and as soon as the said certificate shall be entered as aforesaid, the same proceedings to collect the same shall be had thereon as are now had to collect judgments entered in said prothonotary's office upon warrant of attorney; and in case any delinquent taxpayer shall have no real estate or other property out of which the said unpaid borough tax, percentage and costs aforesaid can be collected, it shall be the duty of the said constable, upon instruction from the burgess and council, to take the body of such delinquent and convey him to the common jail of the county of Bucks, there to remain until the amount of said borough tax and percentage shall be paid, or until he shall be otherwise discharged by due course of law: *Provided*, That nothing herein contained shall authorize the arrest or imprisonment, for non-payment of borough tax, of any female, or infant, or person found by inquest to be of unsound mind.

SECTION 3. That upon the delivering of the warrant of the burgess, together with the schedule of unpaid borough tax, to the constable of the borough of Bristol, as aforesaid, the burgess and council of the said borough shall require of the said constable a sufficient bond and security for the payment of the amount of borough tax contained in said schedule; and if the said constable shall fail to give the security required, the said burgess and council may appoint some other person, who, upon giving the required security, shall collect the said unpaid borough tax, and who shall have the same power and receive the same compensation therefor, as is hereinbefore allowed to the said constable.

SECTION 4. That upon the delivery to the constable of the said borough of the schedule of unpaid borough tax, as aforesaid, it shall be the duty of the treasurer of the borough of Bris-

Certificates of unpaid taxes to be filed in prothonotary's office.

Form of.

To be a lien upon real estate.

Delinquent taxpayer may be imprisoned.

Proviso in favor of females, &c.

Constable to give bond.

On failure, another collector to be appointed.

Constable to be charged with duplicate.

tol to charge the said constable with the whole amount of unpaid borough tax, contained in said schedule, in a book to be prepared for that purpose, which shall be open to the inspection of the said burgess and council; and the said constable shall pay over all such taxes to the said treasurer on or before the first day of November following; and the said constable and his securities shall only be discharged from the liabilities of this act by his paying over the amount of all such taxes after deducting such exonerations as may be allowed by the burgess and council for mistaken indigent persons, and the amount that cannot be collected by the said constables by levy and sale as aforesaid.

How discharged
from liability.

SECTION 5. That the burgess and council of the said borough shall hereafter, annually, on or before the last Monday in April, elect by ballot a person, either a member of the said council or otherwise, as to them shall seem proper, to act as treasurer of the said borough of Bristol: *Provided*, That before the said treasurer shall enter upon the duties of his office, he shall execute a bond to the burgess and council of the borough of Bristol, with one or more securities, to be approved by the said burgess and council, in double the amount contained in said duplicate, conditioned for the faithful performance of the duties of his office in paying over to the burgess and council of the said borough, and his successor in office, all moneys legally due the said corporation from him.

Treasurer to be
elected.

To give bond.

SECTION 6. That the burgess and council of the borough of Bristol, aforesaid, shall have full power and authority to curb and pave, or cause to be curbed and paved, agreeable to the regulations and ordinances from time to time made and established, from and after the passage of this act, the footways, gutters and cartways on any public street, road, lane, alley or highway in the said borough, and may value and assess the expenses of said curbing and paving on the owner or owners in front of, around or upon whose grounds such footways, gutters and cartways shall be curbed and paved as aforesaid; and for grading the said footways, and for keeping the said curbing or paving in repair in front of, around or upon their respective lots, and for renewing the said curbing and paving whenever the same may become necessary in the judgment of the said burgess and council; and the said assessments for curbing, paving, grading, renewing and repairing as aforesaid, shall be collected as follows, to wit: As soon as the said curbing, paving, grading, renewing or repairing shall have been completed, the clerk of the council of the said borough, or some other person appointed by him, shall make out and deliver to the owner or owners of the land in front of, around or upon whose land the same has been done, a bill for the work done and material furnished by said burgess and council in curbing, paving, grading, renewing or repairing as aforesaid; and in case any owner or owners of land as aforesaid, shall neglect or refuse to pay the amount of said bill to the treasurer of the said borough within twenty days after the same has been delivered as aforesaid, it shall be the duty of the burgess of the said borough to issue his warrant, directed to the constable of the said borough, whose

Burgess and council
to have power
to curb, pave, &c.

How expenses to
be assessed.

Burgess to issue
warrant for collec-
tion of.

Constable to collect by distress, &c.

No exemption allowed.

Certificate of unpaid bill may be entered up.

Form of.

Owners may grade and curb.

Cases where lands are owned by non-resident corporations, &c.

duty it is hereby made to receive and execute the same, commanding the said constable to levy the amount of said bill, by distress and sale of the goods and chattels of the person or persons named in said bill, giving ten days' notice of said sale by at least six written or printed advertisements, and also by publication one time in one newspaper in said borough, if such there be; and in all cases the said constable shall be entitled to receive out of the proceeds of said sale, the same fees as are now by law allowed to constables for a levy and sale upon a writ of execution; and in all cases of levy and sale, the owner or owners as aforesaid shall not be entitled to claim the benefit of any law exempting any of his, or her or their property from levy and sale under an execution or distress for rent; and in case the said constable shall be unable to find goods and chattels of any such owner or owners, it shall be his duty to certify that fact to the said burgess, whose duty it shall be to make out or cause to be made out a certificate of such unpaid bill, and enter said certificate in the office of the prothonotary of the court of common pleas of Bucks county, which said certificate shall be in the following form, namely: The burgess and council of the borough of Bristol versus ———, owner or reputed owner, work, \$———, dollars, materials, \$———, dollars, done and furnished upon property situate upon ——— street, in said borough of Bristol, adjoining lands of ————, and and it shall be the duty of the prothonotary aforesaid, to enter the said certificate in the judgment docket in his said office, in the same way and manner as certificates from the treasurer of the county of Bucks are now by law entered for unpaid county taxes; and the said certificates, when entered as aforesaid, shall be liens against the land in front of, around or upon which the said curbing, paving, grading, renewing or repairing shall have been done by the burgess and council aforesaid, which said lien shall have priority to any mortgage, judgment, recognizance, or liability to which the said land may become liable after the passage of this act; and as soon as said certificates shall be entered as aforesaid, in the prothonotary's office as aforesaid, the same proceeding to collect the same shall be had thereon, as are now had to collect judgments entered in the said prothonotary's office upon warrant of attorney: *Provided always*, That all and every the owner or owners of land shall have the privilege of grading, paving, curbing, renewing or repairing the footways, gutters and cartways in front of, around or upon their respective lands, so that they have it fully done and completed within three months from and after the passage of the ordinance by-law, rule or regulation by the said burgess and council aforesaid, requiring said grading, paving, curbing, renewing or repairing to be done by the owner or owners aforesaid: *And provided also*, That in all cases where the land in front of, around or upon which the said grading, paving, curbing, renewing or repairing shall be done by the burgess and council aforesaid, belongs to or is held by any non-resident corporation, society or association, it shall not be necessary for the clerk of the council to make out and deliver any bill for the work

done and material furnished as aforesaid, except to the occupant of said premises, if such there be; but after the expiration of thirty days from the day said work is finished, the cost and expense of said work and material shall be collected in the manner provided for in this section: *And provided further*, That in case any curbing, paving, grading, renewing or repairing shall be done by the burgess and council aforesaid, in front of, around or upon land owned by any married woman, and it becomes necessary for the said burgess and council to file a certificate for the same in the prothonotary's office aforesaid, in the manner hereinbefore provided for, in all such cases the name of the husband of such married woman shall be joined with her in said certificate as a co-defendant: *Provided always however*, That nothing contained in this section or act shall in any way affect the rights and remedies of the burgess and council of the borough of Bristol aforesaid, to assess and collect the amounts due and payable for curbing and paving, under existing laws, from any person or persons who were liable for the payment of the same prior to the passage of this act.

When owned by married women.

Proviso.

SECTION 7. That the burgess and council shall have power to prohibit and remove any obstruction in the highways of the borough, and any nuisance or offensive matter, whether in the highways or in public or private grounds, and to require the removal of the same by the owner or occupier of such grounds, in default of which, the corporation may cause the same to be done, and collect the cost thereof, with twenty per centum advance thereon, in the same manner as debts of like amount are now by law collectible.

Of obstruction in highways.

SECTION 8. That sections thirteen, fifteen, sixteen and seventeen of the act of general assembly of the commonwealth of Pennsylvania, approved the fifteenth day of February, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act to amend the charter of incorporation of the borough of Bristol," granted the fourteenth day of November, Anno Domini one thousand seven hundred and twenty, and the several acts supplementary thereto, also the first section of the act of general assembly aforesaid, approved the third day of April Anno Domini one thousand eight hundred and sixty-nine, also so much of the seventh section of the said act of the fifteenth day of February, Anno Domini one thousand eight hundred and fifty-one, as relates to the assessment, rate and amount of tax, and the meeting of qualified voters to be called by the burgess and council aforesaid, and of all acts or parts of acts as in any way or manner conflict, or are inconsistent with the provisions of this act, be and the same are hereby repealed.

Repealing clauses.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 435.

An Act

Authorizing the Stroudsburg Passenger Railway Company to use steam on their railway for the transportation of passengers, freight and coal.

SECTION 1. *Be it enacted, &c.*, That the Stroudsburg Passenger Railway Company be and they are hereby authorized to use steam on their railway for the transportation of passengers, freight and coal.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 436.

An Act

To authorize the burgess and town council of Boyertown to assess a special tax.

SECTION 1. *Be it enacted, &c.*, That the burgess and town council of the borough of Boyertown, in Berks county, be and they are hereby authorized and empowered to levy and apportion a special tax upon all occupations, professions, real and personal property, of all citizens residing or owning property in said borough of Boyertown, in a sum sufficient to purchase a steam fire engine and fixtures, to be used for the protection of property in said borough, in general; and the sum or amount of money thus to be raised shall in nowise exceed four thousand dollars, and that to be levied, assessed, apportioned and collected in four annual assessments immediately after the passage of this act, and the collector to have two per cent. for the collecting of the same.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 437.

An Act

Relating to the fees of the sheriff of Franklin county.

SECTION 1. *Be it enacted, &c.*, That the sheriff of the county of Franklin shall, after the passage of this act, receive the sum of one dollar for each summons served on persons to serve as jurors, on grand and petit juries, in the several courts of the county of Franklin: *Provided*, That the said sheriff shall not be allowed any mileage, or any other fee whatsoever, for said service.

SECTION 2. That all acts and parts of acts, inconsistent herewith, are hereby repealed.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 438.

An Act

To amend an act, entitled "An Act to amend an act, entitled 'An Act authorizing the Wilmington and Western Railroad Company to connect their railroad with the Delaware and Pennsylvania railroad within this commonwealth,'" fixing the rate of interest on their bonds.

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act to amend an act, entitled 'An Act authorizing the Wilmington and Western Railroad Company to connect their railroad with the Delaware and Pennsylvania railroad within this commonwealth,'" approved the ninth day of March, A. D. one thousand eight hundred and seventy-two, be amended by adding to section one the following words: "Bearing a rate of interest, at the discretion of said company, not exceeding the rate borne by the bonds issued by the said company under the authority of enactments made by the legislature of state of Delaware, that is to say, the rate of seven and three-tenths per centum per annum, payable quarterly."

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 439.

An Act

To provide for the erection of a new poor house, and the enlargement of the county hospital and insane asylum, in Lancaster county.

SECTION 1. *Be it enacted, &c.*, That the board of directors of the poor and house of employment, of Lancaster county, be and they are hereby authorized and empowered to erect a new county poor house, or house of employment, and also to enlarge the present county hospital and insane asylum, of such dimensions and to such an extent as may be deemed sufficient by said board to meet the wants and requirements of said county; and the board of commissioners of the said county of Lancaster are hereby authorized and required to pay out of the treasury of said county, such sum or sums of money as may be expended in erecting, constructing and enlarging said buildings, upon warrants drawn by the said board of directors of the poor and house of employment.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 440.

An Act

To require turnpike companies, in the county of Clearfield, to keep the whole of their roads in repairs.

SECTION 1. *Be it enacted, &c.*, That no incorporated turnpike company within the county of Clearfield, nor their vendees, lessees or successors, shall have the right to take or demand tolls for passing upon their said roads, or any part thereof, in any case in which they have permitted any part of their said road or roads within the said county to become condemned, or a charge upon the townships through which the same pass.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 441.

An Act

To declare Wikoff's run, in Cameron county, a public highway.

SECTION 1. *Be it enacted, &c.*, That Wikoff's run, a tributary of the Sinnemahoning creek, in the county of Cameron, be and the same is hereby declared a public highway from its mouth to the sources thereof.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 442.

An Act

Relating to the assessment of municipal taxes in the city of Oil City.

SECTION 1. *Be it enacted, &c.*, That at the next municipal election in the city of Oil City, and annually thereafter, the qualified voters of said city shall elect one assessor and two assistant assessors of city taxes, in the manner now established by law for the election of mayor of said city, who shall hold their offices for the term of one year: *Provided*, That in case a vacancy should occur by death, removal or otherwise, the city council shall appoint a person or persons to serve for the unexpired term.

Assessors to be elected.

Vacancies.

SECTION 2. The said assessors, before entering upon the duties of their office, shall severally take and subscribe an oath or affirmation in the form prescribed by the ninth section of the act of twenty-seventh of July, one thousand eight hundred and forty-two, which oath or affirmation, so subscribed, shall be filed in the office of the city controller of said city.

To be sworn or affirmed.

SECTION 3. The said assessors shall be entitled to receive a compensation of three dollars per diem for the time actually employed in making the assessment, to be paid out of the city treasury upon bills presented to the controller, specifying the days employed, and verified by affidavit.

Compensation.

SECTION 4. It shall be the duty of said assessors, between the twentieth day of October and the thirtieth day of November, in each year, to proceed to take an account, in manner and form directed by the city council by ordinance, of the names and surnames of all taxable inhabitants within said city, and also an account of all real and personal property in said city which is or may become taxable by law for county and township rates and levies.

Duties of.

SECTION 5. As soon as the assessment shall be completed, the city council shall appoint three freeholders of said city,

Board of appeal

Oath of.

who shall constitute a board of revision and appeal. The members of said board shall each take and subscribe an oath or affirmation before the mayor of said city in the following words, to-wit: "I, ———, do swear (or affirm) that I will faithfully, and to the best of my knowledge and judgment, revise, correct and equalize the valuation of all property taxable by law in the city of Oil City, and faithfully perform all the duties of a member of the board of revision and appeal for said city according to law;" which oath shall be filed in the office of the controller of said city, whereupon they shall elect one of their number president, and shall fix a day, not later than thirty (30) days from the time of completion of the assessment, for holding an appeal, and shall give notice thereof, and that in the meantime the assessments may be examined at the controller's office, by publication for at least ten days, in the paper authorized to do the city printing, and by at least twenty handbills posted in conspicuous places in said city, and on the day fixed for an appeal shall attend and hear all persons who may apply for redress, and grant such relief as to them shall appear just and reasonable, and may adjourn from day to day, or to the next judicial day, for four days, and revise, correct and equalize the whole of such valuation and assessment. Each member of said advisory board shall receive a compensation of three (\$3) per diem for such service.

Ten days notice of appeal.

Council to make estimates.

SECTION 6. That hereafter it shall be the duty of the city council to make the estimate and appropriation, and levy the taxes, and cause the tax duplicate to be placed in the hands of the collector on or before the first day of March of each year, and the deductions authorized to be made by existing laws, for prompt payment, shall be allowed to any tax-payer who shall pay his or her taxes on or before the first day of April, and not otherwise.

Penalty on assessors for neglect of duty

SECTION 7. If any of the assessors aforesaid shall wilfully and knowingly omit, neglect or refuse to assess and return any property, person or thing made taxable by law, or shall knowingly assess, rate or value the same at more or less than he shall know and believe the just value or rate thereof, he shall be guilty of a misdemeanor in office, and, on conviction thereof, be subject to imprisonment not more than six months, and fined in a sum not more than three hundred dollars, either or both, at the discretion of the court.

Penalty for refusal to comply with ordinance.

SECTION 8. If any of the assessors aforesaid, who shall have taken upon himself the duties of such office, shall neglect or refuse to comply with the directions of any ordinance of the city council, directing the manner and form of making such assessments in conformity with law, or shall not perform the duties enjoined upon him by law, he shall forfeit the sum of fifty dollars, to be recovered by said city as debts of a like amount are recoverable.

Repealing clause

SECTION 9. All acts or parts of acts inconsistent herewith, so far as relates to this city, are hereby repealed.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 443.

An Act

To ascertain and appoint the fees to be received by the justices of the peace and constables of Venango county.

SECTION 1. *Be it enacted, &c.*, That the fees of the justices ^{Fees.} of the peace and constables in the county of Venango shall be the same as are hereinafter ascertained and appointed.

SECTION 2. Fees to be received by the justices of the peace ^{Justices.} and aldermen :

Information or complaint on behalf of the commonwealth for every ten words, five cents.

Docket entry in criminal or civil cases, thirty cents.

Warrant on *mittimus* on behalf of commonwealth, sixty cents.

Administering oath or affirmation, fifteen cents.

Taking affidavit in any case, twenty-five cents.

Taking recognizance, fifty cents.

Returning recognizances to court, fifty cents.

Bail piece and return, fifty cents.

Supersedeas, thirty cents.

Discharge to jailor, fifty cents.

Entering discontinuance in criminal cases, sixty cents.

Selecting jury of six and issuing venire, one dollar.

Jury trial before magistrate, civil or criminal, two dollars.

Hearing in criminal cases, seventy-five cents.

Capias, fifty cents.

Summons, forty cents.

Subpœna, thirty cents.

Every additional name after the first on *capias*, summons or subpœna, ten cents.

Entering return of summons or *capias* and oath of constable, twenty cents.

Taking bail for stay of execution, thirty cents.

Every continuance of suit, twenty cents.

Discontinuance, thirty cents.

Trial and judgment, seventy-five cents.

Judgment by confession or default, forty cents.

Entering satisfaction, twenty cents.

Entering rule to refer, twenty cents.

Rule of reference, twenty-five cents.

Notice to each referee or to a party in any case, twenty-five cents.

Taking bail or appeal, thirty cents.

Transcript and certificate in any civil or criminal case, seventy-five cents.

Execution and return, fifty cents.

Sci. fa. in any case, fifty cents.

Opening judgment for re-hearing, thirty cents.

Receiving amount of judgment before execution, or where execution was issued, or where execution was suspended or bail entered, if not exceeding ten dollars, thirty cents:

If above ten dollars and not exceeding forty dollars, fifty cents:

If above forty dollars and not exceeding seventy dollars, seventy-five cents:

If above seventy dollars and not exceeding one hundred dollars, one dollar:

If above one hundred dollars, one dollar and fifty cents.

Affidavit in case of attachment, fifty cents.

Attachment against fraudulent debtor, fifty cents.

Bond in case of attachment, seventy-five cents.

Attachment in execution, fifty cents.

Interrogatories in attachment in execution, forty cents.

Rule on garnishee, thirty cents.

Notice to garnishee, twenty cents.

Every acknowledgment or probate of deed or other instrument of writing, fifty cents.

Every additional name after the first, twenty-five cents.

Constables.

SECTION 3. Fees to be received by the constables:

Executing warrant on behalf of the commonwealth for each defendant, one dollar.

Conveying to jail on *mittimus* for each defendant, one dollar.

Arresting vagrant or other offender against the laws and bringing before magistrate, seventy-five cents.

Serving *capias* each defendant, fifty cents.

Serving subpoena each person, twenty cents.

Serving summons or *scire facias*, either personally or by copy, fifty cents.

Taking bail bond on *capias* or delivery of goods, forty cents.

Notifying plaintiff when defendant has been arrested, thirty cents.

Executing landlord's warrant or serving execution, sixty cents.

Taking inventory of goods, each item, four cents.

Advertising sale, seventy-five cents.

Executing attachment, one dollar.

Executing bail piece, fifty cents.

Traveling expenses, in all cases, for each mile circular, six cents.

Services not herein specified.

Making returns to court, two dollars.

SECTION 4. Fees for writs and services, not herein specified, shall remain the same as is specified in the act of April second, one thousand eight hundred and sixty-eight.

APPROVED—The 26th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 444.

A Further Supplement

To an act to incorporate the Phoenix Iron Company, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, authorizing said company to issue bonds and secure the same by mortgage.

SECTION 1. *Be it enacted, &c.*, That the Phoenix Iron Company be and it is hereby authorized and empowered to issue bonds, not exceeding in the whole the sum of fifteen hundred thousand dollars, in such form as it may deem advisable, but none of which shall be for a less sum than one hundred dollars, bearing interest at a rate not exceeding seven per centum per annum, and to secure the payment thereof by a mortgage or mortgages upon the whole or any part of the works, machinery, real and personal estate, corporate rights and franchises acquired or to be acquired, or of any of them of the said company.

APPROVED—The 27th day of March, A. D. 1873.

J F. HARTRANFT.

No. 445.

An Act

To incorporate the Monongahela Savings Bank.

WHEREAS, W. M. Lyon, Witherow Douglass, John Murray, Charles Rea, George Kim, Nathan S. Brakaw, George W. Jope, John L. Awl, B. W. Stouffer, Samuel Harper, C. S. Fetterman, J. C. Mattern and Jacob Wilbert and others, have been heretofore and are now associated in business as bankers, under the name and style of the Monongahela Savings Bank: Preamble.

And whereas, Said parties desiring to obtain a charter of incorporation, and having given due and legal notice by publication of their intention to apply for a charter, incorporating them and all others who may become associated with them as a bank of discount; therefore,

SECTION 1. *Be it enacted, &c.*, That W. M. Lyon, Witherow Douglass, John Murray, Charles Rea, George Kim, Nathan S. Brakaw, George W. Jope, John L. Awl, B. W. Stouffer, Samuel Harper, C. S. Fetterman, J. C. Mattern and Jacob Wilbert and others, who have been heretofore and are Corporators.

Name.	now associated with them in business as bankers, under the name and style of the Monongahela Savings Bank, of the borough of South Pittsburg, now Thirtieth ward, city of Pittsburg, and their successors and assigns, shall be and they are hereby created a body politic and corporate, by the name and style of the Monongahela Savings Bank of Pittsburg, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal, may break, renew or alter the same, also may have the right to own and hold such real estate as may be necessary for the transaction or the legitimate business of the said bank, and improve and dispose of the same at pleasure.
Privileges.	
Capital stock.	
Commencement of business.	SECTION 2. The capital stock of said bank shall consist of two thousand shares of fifty dollars each, with the privilege of increasing the same, by a vote of the directors, to five thousand shares of the like value per share; and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase, at such price, not less than par value, as the board of directors may name: <i>Provided</i> , That if such shares of the new stock are not taken by the stockholders within ten days after notice of such increase shall have been given, either by personal service thereof, or by mail, or by publication in at least two newspapers in the city of Pittsburg, the board of directors may dispose of such shares of increased stock in such manner as they may deem best, at rates not less than the par value of such stock; and said bank shall be authorized to commence business on payment of fifty thousand on the capital stock; any increase of stock is to be paid one quarter down, and the balance within one year.
How increased stock to be paid.	SECTION 3. The board of directors of said bank shall consist of thirteen persons, and which may be reduced to nine by a vote of the stockholders, to be annually elected by the stockholders on the second Tuesday of January of each year, unless the day of election should be changed by the by-laws of the company, and until the first election shall have been held the persons named in the first section of this act, to wit: W. M. Lyon, Witherow Douglass, John Murray, Charles Rea, George Kim, Nathan S. Brakaw, George W. Jope, John C. Awl, B. W. Stouffer, Samuel Harper, C. S. Fetterman, J. C. Mattern and Jacob Wilbert, shall constitute a board of directors to serve until their successors shall have been duly elected and qualified; and it shall be the duty of each board of directors, as soon as the result of any election shall be made known, to meet and elect from among their own number a president of said bank, and all other officers and agents necessary for conducting the business; the same to serve during the continuance in office of the board of directors which elects them; all vacancies arising from death, resignation, inability to serve or otherwise, however, to be filled by the board of directors.
Board of directors.	
To elect a president, &c.	
Vacancies, how filled.	SECTION 4. The board of directors shall make all by-laws necessary for properly conducting the business of said bank, not inconsistent with the constitution and laws of this com-
To make by-laws.	

monwealth or of the United States, and shall have power to require payment of any amount remaining unpaid by any subscriber, to the stock of said bank, at such times and in such proportions as they may think proper, under such penalties in case of non-payment as required as the by-laws may impose, which penalties are hereby authorized to extend to the forfeiture of such stock and all previous payments thereon.

SECTION 5. The said bank shall have power and may borrow or lend money for such periods as the said bank may deem proper, may discount any bill of exchange, foreign or domestic, promissory note or other obligation or security at legal rates of interest, and the interest may be received in advance, and shall also have the right to hold in trust or as collateral security for loans, advances or discounts estates, real, personal or mixed, including the notes, bonds and obligations of the United States, states, individuals or corporations, and to dispose thereof for the benefit of said bank, or for the payment of the debts as security for which the same may be held, and for such price and on such terms as may be agreed upon by said bank and the parties contracting therewith.

Banking privileges.

SECTION 6. The said bank may receive money to keep for its depositors either with or without interest payable thereon, and may and sell bullion and coin, buy, sell, draw or negotiate bills of exchange, stocks, bonds of all companies, corporations or individuals, or other good and sufficient securities at legal rates of interest.

Further banking privileges.

SECTION 7. Said bank shall have the power to pay upon the check, proper receipt or order of any minor or married woman, such moneys or any part thereof as he or she may have deposited to his or her credit, or any interest or dividend thereon, without the assent or intervention of the parent or guardian of such minor, or husband of such married woman, and without any power in such parent, guardian, husband, or creditors of such husband to attach or in any manner interfere with such deposit, interest or dividend due to such minor or married woman.

May pay money to minors and married women.

SECTION 8. At all elections held by said bank every stockholder shall be entitled to one vote for each share of stock held by him, and may vote either in person or by written proxy, but such proxy must be dated within six months of and not less than five days prior to the election for which such proxy was given; at least ten days' notice by publication in one or more of the Pittsburg papers shall be given of the time and place where such election is to be held, and such election shall be conducted in accordance with the rules laid down in the by-laws.

Shares, how voted.

SECTION 9. The board of directors shall have power to declare and pay dividends out of the earnings of said bank to the stockholders at such times and in such amounts as to them may seem proper: *Provided*, That in so doing the capital stock of said bank shall not be impaired.

Dividends.

SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes.

Reservation
clause.

SECTION 11. That the legislature hereby reserves the power to alter, revoke or annul the charter of said bank, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators.

Stockholders indi-
vidually liable.

SECTION 12. The stockholders of said bank shall be individually liable for the debts of said bank in double the amount of stock held by them.

Rate of interest
regulated.

SECTION 13. That said bank may take, receive, reserve and charge on any loan or discount made, interest at such lawful rates as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more, and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

What real estate
may be held.

SECTION 14. That it shall be lawful for said bank to purchase, hold and convey real estate, as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 446.

A Further Supplement

To an act, entitled "An Act to incorporate the Citizens' Passenger Railway Company of the city of Pittsburg."

Preamble.

WHEREAS, By an act of assembly, entitled "An Act to incorporate the Citizens' Passenger Railway Company of the city of Pittsburg," approved March twenty-second, one thousand eight hundred and fifty-nine, said company was authorized to construct a railway through a portion of the city of Pittsburg and the borough of Lawrenceville to the Lawrenceville and Sharpsburg plank road, thence by the said plank road, and by way of the Sharpsburg bridge, into the borough of Sharpsburg; and said company did construct a road as aforesaid, using said bridge, which was afterward, and while so used, destroyed by fire, since which said com-

pany have used and occupied said route to the southern end of said bridge, and no further:

And whereas, A new bridge has been erected across the Allegheny river upon the site of the old bridge; now therefore,

SECTION 1. *Be it enacted, &c.,* That said company shall be and are hereby authorized to re-construct their railway, of single or double track, over and across the bridge now standing, or which may hereafter be erected, into the borough of Sharpsburg, or the borough of Etna, or both of said boroughs, under and subject to all the provisions of the tenth section of the act of assembly aforesaid: *Provided however,* That steam or locomotive engines shall not be used on said bridge, as a motive power, without the consent of the directors of said bridge company shall be first had and obtained.

Authorized to re-construct road.

Proviso.

SECTION 2. That the said company shall be and are hereby authorized to connect their track or tracks with those of any passenger railway now or hereafter to be constructed within the limits of the cities of Pittsburg or Allegheny, or both, as the case may be: *Provided,* That the provisions of this act shall not be construed to give said company the right to cross the Ewalt street bridge without the consent of the directors of said bridge company.

May connect with other roads.

Proviso

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 447.

A Supplement

To the act incorporating the borough of Easton, in the county of Northampton.

SECTION 1. *Be it enacted, &c.,* That the borough of Easton, in the county of Northampton, be and is hereby divided into seven wards in manner, as follows: *First.* All that portion of the said borough lying south of the middle of Northampton street, between the Delaware river and Fourth street, and east of the middle of Fourth street, from Northampton street to the Lehigh river, be and the same is hereby erected into a ward to be called First ward: *Second.* All that portion of the said borough lying north of the middle of Northampton street, between the Delaware river and Third street, east of the middle of Third street and south of the Bushkill creek, be and the same is hereby erected into a ward to be called Second ward: *Third.* All that portion of the said borough lying north and east of the Bushkill creek, be and the same

Divided into seven wards.

First ward.

Second ward.

Third ward.

is hereby erected into a ward to be called Third ward :
Fourth. All that portion of said borough lying north of
 Northampton street, from Third street to Sixth street, west
 of the middle of Third street, east of the middle of Sixth
 street and south of the Bushkill creek, be and the same is
 hereby erected into a ward to be called Fourth ward : *Fifth.*
 All that portion of said borough lying south of the middle of
 Northampton street, between Fourth street and Sixth street,
 west of the middle of Fourth street and east of the middle of
 Sixth street, be and the same is hereby erected into a ward
 to be called Fifth ward : *Sixth.* All that portion of said bo-
 rough lying west of the middle of Sixth street and east of the
 middle of Ninth street, and extending from the Bushkill
 creek to the Lehigh river, be and the same is hereby erected
 into a ward to be called Sixth ward : *Seventh.* All that por-
 tion of said borough lying west of the middle of Ninth street,
 and extending from said Ninth street to the western limits of
 said borough, and from the Bushkill creek to the Lehigh
 river, be and the same is hereby erected into a ward to be
 called Seventh ward.

Officers elected in. SECTION 2. Each of the said wards shall be a separate elec-
 tion district, and shall elect three members of the town coun-
 cil, three members of the board of control, one justice of the
 peace, and such other officers as are now authorized by law :
 Proviso. *Provided,* That every person now holding any ward office in
 said borough shall continue to hold the same in and for the
 particular ward in which he may reside, at and immediately
 after the passage of this act for the term for which he may
 have been elected.

Special election provided. SECTION 3. That a special election be held in said borough
 on the fourth Friday of May, Anno Domini one thousand
 eight hundred and seventy-three, for the purpose of filling
 any vacancies that may exist in the different wards by reason
 of the passage of this act or otherwise ; and the court of quar-
 ter sessions of said county shall designate the places of hold-
 ing the first or special election, and appoint the election offi-
 cers whenever it shall be necessary for holding the first or
 special election.

Borough auditors, how appointed. SECTION 4. That the town council and the board of control
 of said borough shall severally, on the fourth Friday of March,
 Anno Domini one thousand eight hundred and seventy-four,
 and on the fourth Friday of March, in each and every year
 thereafter, appoint one person to be borough auditor, who,
 together with one person to be appointed by the court of
 common pleas of said county, shall constitute a board of
 auditors, with like powers as is now given by law to auditors
 in said borough : *Provided,* That the auditors chosen at the
 election held on the third Friday of March, Anno Domini one
 thousand eight hundred and seventy-three, shall constitute
 the board of auditors for the present year, and it shall not be
 lawful to elect any additional auditors at the special election
 provided for by this act.

Proviso. SECTION 5. That so much of the twelfth section of the act
 for erecting the town of Easton into a borough, approved the
 nineteenth day of March, Anno Domini one thousand eight

hundred and twenty-eight, as requires the collector of taxes to inform each inhabitant of his tax and of the time and place of appeal, be and the same is hereby repealed; and it shall be the duty of the receiver of taxes or treasurer of said borough to give notice of the time and place of appeal by advertisement in the daily newspapers published in said borough, for at least ten days before the meeting of said board or county appeal.

Notice of appeal.

SECTION 6. That it shall be the duty of the high constable of said borough to give such notice of the special election to be held on the fourth Friday of May, Anno Domini one thousand eight hundred and seventy-three, as is required by law in all the wards.

High constable's duty.

SECTION 7. That all laws or parts of laws inconsistent herewith be and the same are hereby repealed.

Repealing clause.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 448.

An Act

To incorporate the Farmers' Bank of Harrisburg.

SECTION 1. *Be it enacted, &c.,* That Daniel Eppley, Samuel A. Black, John Matter, Robert A. Lamberton, James North, Henry H. Houston, Samuel T. Charlton, Thomas L. Wallace and Frederick C. Fink, now engaged in the business of banking, in the city of Harrisburg, under the name, style and title of the Farmers' Bank of Harrisburg, and their associates, together with such other persons as shall become stockholders in the said bank, shall be and are hereby created a corporation and body politic by the name and style of the Farmers' Bank of Harrisburg, and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain, to them and their successors, such real estate as may be necessary for the transaction of their business, together with such as may be held by said bank as security for debts, or in satisfaction thereof, and the same to grant, mortgage or demise; also to make, have and use a common seal, and the same to alter and renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of the state or of the United States.

Corporators

Title

Privileges.

SECTION 2. That it shall be lawful for the said bank to receive deposits of money from individuals and corporations,

Banking privileges.

and to allow such interest, not exceeding legal rates, for money so received as may be agreed upon between said bank and said depositors, to loan out the same, together with any other moneys they may have, and may purchase negotiable notes, drafts and bills of exchange, and may issue certificates for deposits.

May act as financial agent.

SECTION 3. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of state and city governments, and of counties, in the management of their business, and shall give security to such institutions and governments for the faithful performance of the duties required.

Capital stock.

SECTION 4. That the capital stock of said bank shall be one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, which shall be paid in within one year in such installments as the said bank shall by its by-laws direct. The directors of said corporation may, from time to time, increase the capital stock, as they shall elect, to any amount not exceeding three hundred thousand dollars: *Provided*, That the said bank may commence operations as soon as fifty thousand dollars of the capital stock shall have been paid in.

How affairs to be conducted.

SECTION 5. That the affairs of said bank shall be conducted by a board of directors, to be chosen as hereinafter directed and provided; that the said board of directors, or a majority of them, shall elect a president and a cashier from their own number, and such other officers as they may deem necessary, and fix the compensation of the same; and all officers shall give bonds, with good securities, in such sums as may be required by said board, for the performance of their several duties.

President and other officers.

Office.

SECTION 6. That the said bank shall keep its office in some suitable place in the city of Harrisburg; and on the first Monday of May, one thousand eight hundred and seventy-three, and on the first Monday of May annually thereafter, after two weeks' previous notice, the stockholders shall convene at the office of the bank and by ballot elect not exceeding twelve stockholders as directors, (the number to be fixed by the by-laws,) who shall continue in office one year, or until their successors are elected; and the directors so elected shall annually elect one of their number president, and one as cashier; that in the election for directors, the said stockholders shall be governed by the general laws of the commonwealth regulating the manner of conducting elections in banks and savings institutions, and the number of votes to which the several stockholders shall be entitled, so far as the same may be applicable: *Provided*, That each share of stock shall be entitled to one vote: *Provided however*, That no person shall be elected president or director in said bank who is not a stockholder therein, and that all vacancies occasioned by death, resignation or refusal to serve, shall be supplied in such manner as said bank may by its by-laws direct.

Election of directors.

President and directors to be stockholders.

Vacancies.

SECTION 7. That the board of directors of said bank may, Dividends. from time to time, as in their judgment may seem fit, declare and divide dividends out of the net profits of said bank, over and above all expenses, and pay the same to the stockholders: *Provided*, That no dividend shall be declared in anywise to impair the capital of said bank, which is to remain intact during the continuance of this charter as a security to depositors; and the said bank shall have full power to pay, on application, the check, proper receipt or order of any minor or married woman, such money, or any part thereof, Payments of deposits, &c., to minors and married women. as he or she may have deposited to his or her credit, or any interest or dividend accruing thereon, without the assent or approbation of the parent or guardian of such minor, or the husband of such married woman; the creditors of the husband of such married woman shall not have the right to attach, or in any manner interfere with any deposit, interest or dividend due thereon to such minor or married woman.

SECTION 8. That said bank, not being a bank of issue, shall not be subject to the restrictions provided in section seventeenth of an act, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and section first of an act, entitled "A further supplement to an act regulating banks," approved April twenty-second, one thousand eight hundred and fifty-four, but the stockholders shall be liable to double the To what restriction not subject. amount of the stock subscribed for or held by them. Liability clause.

SECTION 9. That the charter of this corporation shall continue twenty years, and the legislature hereby reserves the power to alter, revoke or annul the same whenever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner however that no injustice shall be done to the corporators: *Provided*, That a misnomer of the corporation in any instrument shall not vitiate the same if the intent of the parties can be clearly ascertained: *And further provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now, Limitation. or may hereafter be required by law. Misnomer. Bonus and taxes.

SECTION 10. That it shall be lawful for said bank to purchase, hold and convey real estate as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith, by way of security for debts; such as shall be conveyed to in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank. Said bank shall not purchase or hold real estate in any other case, or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage. What real estate may be held.

SECTION 11. That said bank may take, receive, reserve and charge, on any loan or discount made, interest at such lawful rate as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more; Rate of interest regulated.

and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

APPROVED—The 27th day of March, A. D. 1873.
J. F. HARTRANFT.

No. 449.

An Act

To authorize the city of Corry, in the county of Erie, to issue bonds and fund the indebtedness of said city.

Authorized to issue bonds.	SECTION 1. <i>Be it enacted, &c.</i> , That the common council of said city be and it hereby is authorized to issue bonds of said city, to the amount of one hundred and twenty-five thousand dollars, to be signed by the mayor, city clerk and treasurer, and attested by the seal of said city; such bonds to run not less than ten or more than twenty years from the date thereof, and to bear interest at the rate of eight per cent. per annum, payable semi-annually, on the first days of April and October of each year; and that said council be and it hereby is authorized and directed to levy, assess and collect one-half of one per cent. per annum upon the assessed valuation of all the trades, occupations and property, real and personal, in said city; and that the money so levied and assessed, when collected, shall be paid into the treasury of said city, and shall constitute a fund for the payment of the interest accruing on such of said bonds as may from time to time be issued, and for the payment of the principal of said bonds at the maturity thereof; and that the fund arising from such levy and assessment shall be applied to no other or different purpose whatsoever.
How attested.	
Rate per centum.	
Tax of one per centum authorized.	
How applied.	
City authorized to sell bonds.	SECTION 2. That said city be and it hereby is authorized and directed to sell, from time to time, so many of said bonds as may be necessary to pay off, satisfy and discharge the indebtedness of said city, due or to become due, within five years from the date hereof; and that said bonds and the proceeds thereof shall be used for no other or different purpose whatever.
Proceeds, how applied.	

APPROVED—The 27th day of March, A. D. 1873.
J. F. HARTRANFT.

No. 450.

An Act

Providing for the surrender by the Thirteenth and Fifteenth Streets Passenger Railway Company of the city of Philadelphia, of certain corporate rights upon Broad street, and in consideration thereof, confirming the merger with the Navy Yard, Broad Street and Fairmount Railway Company, and granting and confirming unto said Thirteenth and Fifteenth Streets Passenger Railway Company, certain rights as to laying tracks upon said Broad street and Thirteenth and Fifteenth streets, and excluding all other persons or bodies corporate from hereafter laying tracks upon any of said streets.

WHEREAS, The Thirteenth and Fifteenth Streets Passenger Railway Company of the city of Philadelphia, and the Navy Yard, Broad Street and Fairmount Railway Company heretofore by agreement made and entered into in pursuance of the terms of an act of assembly, entitled "An Act relating to railroad companies," approved May sixteenth, one thousand eight hundred and sixty-one, and the amendments thereto, have become merged and consolidated into one company, under the name, style and title of the Thirteenth and Fifteenth Streets Passenger Railway Company of the city of Philadelphia, whereby all the privileges, rights and franchises of the Navy Yard, Broad Street and Fairmount Railway Company became vested in the Thirteenth and Fifteenth Streets Passenger Railway Company of the city of Philadelphia; therefore,

Preamble.

SECTION 1. *Be it enacted, &c.,* That if within ninety days after the passage of this act, the Thirteenth and Fifteenth Streets Passenger Railway Company of the city of Philadelphia, shall renounce and surrender, as they are hereby authorized to do, to the commonwealth, all rights to construct any railroad, railway or tramway upon Broad street, in the city of Philadelphia, possessed or claimed by them under the said merger of the corporate rights and franchises of the Navy Yard, Broad Street and Fairmount Railway Company, or otherwise howsoever, and shall discontinue all legal proceedings to enforce such rights, then upon the said company making such surrender under their corporate seal, and covenanting to carry out and fulfill the conditions and requirements of the proviso hereto, and filing the same in the office of the secretary of the commonwealth within said time, and accepting the provisions of this act, all the corporate rights, privileges and franchises heretofore granted to the Navy Yard, Broad Street and Fairmount Railway Company by the act of the sixteenth of May, Anno Domini one thousand eight hundred and sixty-one, and any supplements thereto, excepting those so surrendered, shall be, and thereupon are hereby granted and confirmed to and declared to be fully vested in the said the Thirteenth and Fifteenth Streets Passenger Railway Company, under and by virtue of said merger, that is to say, the privilege of constructing and operating a single or double railway passenger track or tracks upon any part of said

Surrender of certain rights provided for, merger confirmed, &c.

Broad street, from time to time, south from Carpenter street, as far south as said street may be opened, and north from Columbia avenue, as far north as said street may be opened, together with the privilege of maintaining the now existing connections between said tracks and the company's tracks on Thirteenth and Fifteenth streets; and in further consideration of such surrender, no franchise or privilege to construct a track or tracks or any artificial tramway, for the conveyance of passengers for hire, upon any portion of said Broad street, or upon Thirteenth or Fifteenth streets, or other of said company's connections, or to run any cars upon any part of said routes, shall be hereafter granted to any person or persons, or body politic: *Provided*, That as each six consecutive squares of Thirteenth and Fifteenth streets northward, from Columbia avenue, as well as the street or avenue at the northern terminus thereof, running at right angles to and joining Thirteenth and Fifteenth streets, or so much thereof as may be necessary to form circuits, shall be, from time to time, opened, graded and paved, the Thirteenth and Fifteenth Streets Passenger Railway Company shall remove their tracks from the six squares of North Broad street, between the same cross streets, and shall lay them upon the corresponding six squares of Thirteenth and Fifteenth streets and said northernmost cross street, for the purpose of completing their circuits or connection; and that when the depot of the Philadelphia, Wilmington and Baltimore Railroad Company, or its successors, shall be removed from Broad street, between Washington avenue and Carpenter street, then as each six consecutive squares of Thirteenth and Fifteenth streets southward from Carpenter street, as well as the street or avenue at the southern terminus thereof, running at right angles to and joining Thirteenth and Fifteenth streets, or so much thereof as may be necessary to form circuits, shall be, from time to time, opened, graded and paved, the Thirteenth and Fifteenth Streets Passenger Railway Company shall remove their tracks from the six squares of South Broad street, between the same cross streets, and shall lay them upon the corresponding six squares of Thirteenth and Fifteenth streets, and the said southernmost cross street, for the purpose of completing their circuits or connections; and all acts or parts of acts inconsistent herewith are hereby repealed.

On failure to comply with act, commissioner of highways to remove tramway and rails.

SECTION 2. If the Thirteenth and Fifteenth Streets Passenger Railway Company, (having accepted the provisions of this act as aforesaid,) shall not at any time proceed to comply with the same, after notice in writing to them by the mayor, the chief commissioner of highways or the common council of the city of Philadelphia to do so, then the chief commissioner of highways is hereby empowered and directed to remove the tramway and rails of the said Thirteenth and Fifteenth Streets Railway from Broad street, and re-pave and repair the bed of said street forthwith, at the expense of said company.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 451.

An Act

To extend an act, entitled "An Act relating to the liens of mechanics, material-men and laborers upon leasehold estate and property thereon in the county of Venango," approved April eight, eighteen hundred and sixty-eight, and the several supplements thereto, to Forest county, and to extend the lien in the provisions of said act to real estate.

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act relating to the liens of mechanics, material-men and laborers upon leasehold estate and property thereon in the county of Venango," approved April eight, eighteen hundred and sixty-eight, and the several supplements thereto, be and the same is hereby extended to Forest county. Act extended to.

SECTION 2. That the sixth section of said act of April eight, eighteen hundred and sixty-eight, and the several supplements thereto, be so amended as to read "real and leasehold estate" so far as relates to the county of Forest. Lien extended to real estate.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 452.

A Supplement

To an act to prevent cattle, horses, sheep and swine from running at large in the county of Chester, approved the first day of April, Anno Domini one thousand eight hundred and sixty-eight, extending some of the provisions of the same to the townships of Elizabeth, Penn and Ephrata, in the county of Lancaster.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act to prevent cattle, horses, sheep and swine from running at large in the county of Chester, approved the first day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same are hereby extended to the townships of Elizabeth, Penn and Ephrata, in the county of Lancaster: *Provided however*, That this act shall not apply to the owner or owners of such stock running at large, when not possessed of real and personal property of the value of more than four hundred dollars, who own not more than one cow: *And provided further*, That it shall not apply when the animals have by accident escaped from their enclosures, and the owners thereof have used proper diligence to reclaim them.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 453.

A Supplement

To an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem Water Company, and so forth, approved the thirteenth day of March, Anno Domini eighteen hundred and sixty-six.

Water board constituted. SECTION 1. *Be it enacted, &c.,* That at each annual election for borough officers, in the borough of Bethlehem, in the county of Northampton, the voters of each ward shall elect one person, a resident property holder and tax-payer of that ward, to serve as water commissioners for one year; and said commissioners so elected, in conjunction with the burgess and members of town council, shall constitute the water board, and perform the duties of their office as provided by the act, approved thirteenth day of March, Anno Domini eighteen hundred and sixty-six.

To assess a tax. SECTION 2. That the water board shall have full power and authority to assess a protection tax upon all improved real estate, within a distance of five hundred feet of any fire plug, for the purpose of defraying the expenses of carrying on said water works; the tax to be collected in the same manner that borough tax is now collected.

Works, how enlarged. SECTION 3. In case it should become necessary to enlarge the said works, the plans and estimates of cost shall be submitted to the property holders, at a public meeting convened for that purpose, at least ten days notice thereof being given; the majority to approve or reject said plans and estimate.

Former acts amended. SECTION 4. That in all acts and supplements heretofore passed in regard to the water works, of the borough of Bethlehem, whenever the phrase "water commissioners and council" occurs, the said phrase be so amended in every instance, as to read "the burgess, members of council and water commissioners shall constitute the water board."

Powers of water board. SECTION 5. That the said water board are hereby authorized, for the purpose of procuring for and introducing into the borough of Bethlehem, a sufficient supply of fresh and pure water, for the inhabitants thereof, the said water board shall have full power and authority to lease or purchase, take, enter upon, occupy and hold any lands and tenements, fountains, springs, stream or streams of water, necessary for procuring, conducting and conveying fresh and pure water to the said borough, making compensations to the owners thereof, in manner provided for in act of assembly, number ten hundred and thirty-five, section five, eighteen hundred and sixty-six.

Statement to be published. SECTION 6. That the burgess and town council shall publish a particular and detailed statement of the cost of said water works, itemizing the cost of each part of the same, and shall annually, in the month of February, publish a statement of

the receipts into and payments from the water funds, including income from the works and receipts from taxes, and showing particularly the amount of debt owing on account of the construction and maintenance of said works, and time when the same is payable.

SECTION 7. That all the money realized from the sale of bonds, issued in pursuance of the provisions of former acts, together with all the water rents and income of said water works, shall be designated the water fund, and shall be expended in the construction, repair and maintenance of said works, the payment of the interest on said bonds and the redemption of said bonds, and for no other purpose; that all laws or parts of laws inconsistent herewith be and the same are hereby repealed.

Water fund designated.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 454.

An Act

To authorize the borough of Renovo to erect water works and to supply the said borough with water.

SECTION 1. *Be it enacted, &c.*, That for the purposes of introducing into the borough of Renovo, in the county of Clinton, a sufficient supply of fresh and pure water, the corporate authorities of the said borough be and they are hereby authorized and empowered to purchase and hold in the name of said borough, in fee simple or for any less estate, any water power or powers in, near or convenient to the said borough, or any lands, tenements, hereditaments to which any water power or powers may be appurtenant, with full power the same or any part thereof to grant, bargain, sell, alien, convey, mortgage, pledge, charge, encumber and demise and dispose of at their will and pleasure; and also to take, occupy and enjoy any stream or streams of water, or spring or springs in, near or convenient to the said borough, or any lands to which any stream or streams of water or spring or springs may be appurtenant, with full power to hold the same for the purpose above mentioned, they doing as little damage as possible, and making compensation to the owner or owners thereof in the manner hereinafter provided for.

Borough authorities authorized to purchase water power, &c.

SECTION 2. That the said corporate authorities of the borough of Renovo, shall have full power and authority to provide, erect, construct and maintain all works and machinery or engines necessary or proper for introducing into the said borough a sufficient supply of fresh and pure water, and shall provide, erect, construct and maintain all proper buildings, cisterns and reservoirs, machinery, drains, trenches, pipes and all works and things necessary or proper to full and entire

To provide works and machinery.

To enter upon
lands and enclo-
sures.

Pay damage
therefor.

May enter for ma-
terial.

Tribunal to assess
damage.

Power of the court
to summon ap-
praisers.

Parties may ap-
peal.

Authorities may
enter upon by giv-
ing security for
damages.

completion of the same ; and for this purpose they are hereby authorized and empowered by themselves, their agents, artisans, engineers and workmen, with their tools, instruments, carts, wagons and other carriages and beasts of burthen or draft, from time to time, and at all times hereafter, to enter into and upon any lands or enclosures and public or private roads, or highways or streets, as may be necessary, and to occupy, dig, ditch and lay pipes through the same, and to erect and maintain thereon such cisterns and reservoirs as may be needful and proper for the purposes aforesaid, and the same to raise, alter and repair, doing as little damage to private property, and making compensation to the owner or owners thereof in the manner hereinafter provided for.

SECTION 3. The said corporate authorities of the borough of Renovo, their superintendents, engineers, workmen and laborers, with their tools, instruments, carts, wagons and other carriages and beasts of burthen or draft, may enter upon lands contiguous to the dam or dams, works, cisterns and reservoirs which they may erect on the route upon which they may lay their pipes, and from thence take and carry away stone, earth, sand or other material necessary to the construction or repair of the said dam or dams, works, cisterns or reservoirs, or to the proper laying down of the said pipes, doing as little damage as possible, and repairing any breaches they may make in the enclosure thereof, and making compensation to the owner or owners thereof in the manner hereinafter provided for.

SECTION 4. If the parties cannot agree upon the compensation to be made to the owner or owners of such lands and enclosures required for the use of said works, it shall and may be lawful for the parties to appoint six suitable and judicious persons, who shall act under oath or affirmation, a majority of whom shall be competent to make an award in the case ; or if they cannot agree upon such persons, then either of the parties may apply to the court of common pleas of the county of Clinton, and the said court shall award a venire, directed to the sheriff, to summon six disinterested men of his county, in order to ascertain and report to the said court what damages, if any, has been done by the said corporation of the borough, of Renovo, which report being confirmed by the court, judgment shall be entered thereon, and execution may issue in case of non-payment of the sum awarded with reasonable costs to be assessed by the court : *Provided*, That either party may appeal to the court within thirty days after such report shall have been filed in the prothonotary's office, in the same manner as appeals are allowed in other cases, whether the said report was made by persons agreed on by the parties, or summoned by the sheriff, upon which appeal such proceedings shall be had as are used in actions for damages at common law : *And provided further*, That it shall be lawful for the said corporation, of the borough of Renovo, to enter at once into possession or use of such lands and premises, upon giving or tendering to the claimant or claimants their bond or bonds, in such amount and with such security as may be approved by one of the judges of said court conditioned for the

payment of such sums as the said claimant or claimants shall be entitled to receive after assessment made as aforesaid.

SECTION 5. The said corporate authorities, in council assembled, shall have full power and authority to pass, enact and ordain all laws and ordinances necessary to enable them to convey the said water through the borough, in all directions, and to fix hydrants and fire-plugs wheresoever they may deem proper; and to fix and determine, from time to time, the rates of prices to be paid by the citizens for the use of said water, and the penalties for non-payment, and to protect the water works, cisterns, reservoirs, pipes, plugs and hydrants from damage or destruction, and generally to do all things requisite and necessary for carrying into full and perfect effect the objects contemplated by this act. May enact by-laws

SECTION 6. That the burgess and town council of the borough of Renovo, are hereby authorized and empowered for the purpose of carrying on, into full effect, the provisions of this act, to borrow in the name and upon the faith, credit and responsibility of said borough, such sum or sums of money, not exceeding in the whole, the sum of fifty thousand dollars, as they may deem necessary for the aforesaid purpose, in addition to any sums authorized to be borrowed for other purposes, and to issue bonds or certificates of indebtedness, in the name of the said borough of Renovo, under the corporate seal, attested by the burgess and treasurer, or secretary, to the purchaser or purchasers of said loan, in such sums as the said borough authorities may see proper, and bearing such rate of interest, not exceeding eight per centum per annum, and redeemable at such times as may be agreed upon, and to levy, assess and collect such taxes, from time to time, as may be necessary to pay the interest on such loans, and to redeem the principal at such times and in such manner as may be conformable to the terms upon which the same shall have been taken. May borrow money
Limit.
May issue bonds.

SECTION 7. That the said authorities shall have power, from time to time, to borrow moneys, in the manner aforesaid, for the purpose of redeeming and paying off any loan or loans contracted by virtue of the last preceding section, and shall have all the powers for levying, assessing and collecting taxes, for the purpose of redeeming the same, principal and interest, as are given in the last preceding section of this act in relation to the original loans. May borrow money
to redeem loans.
Levy tax to pay.

SECTION 8. That the said borough authorities shall have power to levy and collect annually, for borough purposes and for the purposes authorized by the foregoing sections of this act, any tax not exceeding one cent on the dollar on the valuation assessed for county purposes, as now is or may be provided by law; all property, offices, professions, occupations, and persons made taxable by the laws of this commonwealth for county rates and levies shall be taxable after the same manner for said borough purposes and for the purposes authorized by this act. Tax for borough
and water pur-
poses.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 455.

An Act

For the relief of the estate of Charles W. Hepburn, deceased.

WHEREAS, Charles W. Hepburn died in the year of our Lord one thousand eight hundred and sixty-three, leaving a will in which he devised certain portions of his estate to Charles W. Hepburn, Martin E. Hepburn and John Schell Hepburn, of the city and county of Philadelphia:

And whereas, The executors and trustee have omitted to pay the collateral inheritance tax due on said estate, and the register of wills, of Philadelphia county, has charged said estate with the usual collateral inheritance tax, and, likewise, is about to impose a penalty, or interest, of twelve and a-half per centum for nine years, next preceding the commencement of a suit, in the district court of Philadelphia county, for the collection; therefore,

SECTION 1. *Be it enacted, &c.*, That said fine, interest and penalty, imposed by the neglect of the executors and trustee, be and is hereby remitted, and the said devisees are released from payment of any and all interest and penalty due on said estate.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 456.

A Supplement

To an act, entitled "An Act to incorporate the Montgomery County Agricultural Society," approved the thirty-first day of March, Anno Domini eighteen hundred and seventy.

SECTION 1. *Be it enacted, &c.*, That in addition to the authority conferred upon said corporation to borrow money by section four of said act, the executive committee of said society is hereby authorized and empowered to borrow a sum of money not exceeding twenty thousand dollars, at a rate of interest not exceeding seven per cent. per annum, for the purpose of paying debts accrued in the erection of buildings and otherwise improving the grounds of the society, and to secure the same by the issue of bonds, to be signed by the president of said corporation, attested by the secretary, and sealed with their corporate seal, and to execute in the name

Additional loan powers.

Rate of interest.

To issue bonds.
How attested.

of the corporation a trust mortgage on all their real estate and corporate franchises to secure the payment of the bonds thus issued with interest.

SECTION 2. That from and after the passage of this act, at all elections held by this corporation or other meetings, each stockholder present, either in person or by proxy, shall be entitled to one vote for each and every share of stock owned by him or them not exceeding ten shares, and one vote for every five shares of stock exceeding ten shares. Of voting stock.

SECTION 3. That the executive committee shall have full power to appoint police officers to preserve order at their agricultural fairs or other meetings, which officers when appointed, shall have the same authority to make arrests as constables of the different townships now have; that the said society shall by their by-laws fix the number of the executive committee. Power to appoint police.

SECTION 4. That all of said act incorporating the Montgomery County Agricultural Society inconsistent with this act is hereby repealed. Repeal.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 457.

A Further Supplement

To the act relating to district treasurers in Clearfield county.

SECTION 1. *Be it enacted, &c.*, That the first section of the act of this general assembly, entitled "A supplement to an act, entitled 'An Act to authorize the election of district treasurers in the county of Clearfield,'" approved April ninth, one thousand eight hundred and seventy-two, which said supplement was approved the twenty-seventh day of February, one thousand eight hundred and seventy-three, be so amended as to add to the end of said first section these words, "except such compensation as shall be fixed and settled by the auditors of the said borough or township."

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 458.

An Act

To authorize the school directors of the borough of Etna, in the county of Allegheny, to borrow money, sell real estate and levy an additional tax for building purposes.

Authorized to
borrow money
and issue bonds.

Sell property and
levy additional
tax.

Proviso.

Powers of court to
be exhausted.

Repealing clause.

SECTION 1. *Be it enacted, &c.,* That the board of school directors of the borough of Etna, county of Allegheny, be and they are hereby authorized and empowered to borrow an amount of money, not exceeding fifteen thousand dollars, for a term of years not exceeding fifteen, and to issue bonds or certificates of indebtedness for the same, in sums of not less than one hundred dollars each, bearing interest at a rate not exceeding eight per centum per annum; said bonds or certificates to be executed by the president and countersigned by the secretary of the board; and that the said board of school directors be and they are hereby authorized and empowered to sell the property now occupied by them for school purposes, and they are hereby authorized to levy an additional tax for building purposes: *Provided*, That all loans so made, moneys received by the sale of said property, or levy of said tax, shall be applied exclusively to the purchase of grounds and the erection of suitable buildings thereon, for the use of the public schools of said borough: *Provided*, That before exercising the privileges granted by this section, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

SECTION 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 459.

An Act

To repeal an act, approved the twenty-first day of March, eighteen hundred and sixty, extending to Lycoming county the provisions of an act, entitled "An Act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties," approved April sixth, eighteen hundred and fifty-four.

SECTION 1. *Be it enacted, &c.,* That the act approved the twenty-first day of March, eighteen hundred and sixty, ex-

tending to Lycoming county the provisions of an act, entitled "An Act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties," is hereby repealed: *Provided*, That all moneys arising from dog tax in Lycoming county, for eighteen hundred and seventy-two and previous years, and unexpended at the date of this act, shall thereupon be transferred to the county fund, and be used as other county funds are used.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 460.

A Supplement

To incorporate the Sharpsville and Wheatland and Sharon and Greenfield Railroad Company, approved the second day of June, Anno Domini one thousand eight hundred and seventy, authorizing an extension of its line to the borough of Butler.

SECTION 1. *Be it enacted, &c.*, That the Sharpsville and Wheatland and Sharon and Greenfield Railroad Company be and the same is hereby authorized to construct its road or roads of any gauge not to exceed four feet and ten inches. Gauge fixed.

SECTION 2. That the said railroad company is hereby authorized to extend its road from any point at or near the village of Greenfield, in the county of Mercer, to the borough of Butler, in Butler county. Extension of road authorized.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 461.

A Supplement

To the act, entitled "An Act to incorporate the Mechanics' Life Insurance and Trust Company of Schuylkill county," approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy, to increase its capital stock, to repeal the life insurance privileges thereof, and to fix the number of directors of the same.

SECTION 1. *Be it enacted, &c.*, That all life insurance privileges of said company be and the same are hereby repealed, reserving to said company the right to receive deposits and Life insurance privileges taken away.

May receive deposits.

Bonus and taxes.

Increase of capital stock.

Stock, how voted.

Rate of interest.

May purchase and hold real estate, &c

to invest the same agreeable to the provisions of said act, and reserving all trust and other privileges thereunto belonging; that said company and the capital stock thereof shall be subject to such bonus and taxes as is now or may be hereafter imposed upon banks created under the laws of this commonwealth, and the directors of said company shall have the privilege to increase the capital stock of said company, not to exceed three hundred thousand dollars; that hereafter the number of directors of said company shall be seven, and each share of stock shall be entitled to one vote in all elections for directors and other purposes.

SECTION 2. That said company may take, receive, reserve and charge on any loan or discount made, interest at such lawful rate as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more, and nothing in this act contained, shall alter, change or affect the rate of interest provided for and established by this section: *And provided*, That nothing in this act contained shall confer any additional banking privileges.

SECTION 3. That it shall be lawful for said company to purchase, hold and convey real estate, as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments, decrees or mortgages held by such company, or shall purchase to secure debts due to said company; said company shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 462.

An Act

To authorize an increase of the capital stock of the American Dredging Company.

SECTION 1. *Be it enacted, &c.*, That the board of directors of the said company are hereby authorized to increase the capital stock by the issue, from time to time, of such number of shares, of the par value of one hundred dollars, as they may deem expedient for the purposes of the corporation: *Provided*, That the entire capital stock of said company shall not

exceed one million of dollars, including the increase hereby authorized and the amount heretofore authorized by law.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 463.

An Act

Granting additional rights, powers and franchises to the Rock Spring Water Company, heretofore incorporated by the court of common pleas of Luzerne county, authorizing the said company to enter upon lands and streams for the purposes of the said company, and to furnish a supply of water to the citizens of the borough of Hazleton in said county.

WHEREAS, The Rock Spring Water Company has been heretofore incorporated by the court of common pleas of Luzerne county for furnishing a supply of water to the citizens of the town of West Hazleton in said county: Preamble.

And whereas, The said company has been organized under the charter so granted, and is desirous of possessing certain additional rights, powers and franchises which the said court had not the power under the laws to grant; therefore,

SECTION 1. *Be it enacted, &c.*, That the Rock Spring Water Company heretofore incorporated by the court of common pleas of Luzerne county, is authorized and empowered to furnish a supply of water to the citizens of the borough of Hazleton in said county, and such persons, partnerships and corporations residing therein, as may desire the same, at a price mutually to be agreed upon, and for that purpose they may provide, erect and maintain all works and machinery necessary and proper for raising and introducing water into the said borough of Hazleton, and may provide, erect and maintain all proper buildings, cisterns, reservoirs, pipes and conduits for the reception and conveyance of the said water; and they are authorized and empowered by themselves, their agents, engineers and workmen, and with their tools, carts, wagons and beasts of draught or burden, to enter upon any street, lane, alley or highway, within or without the limits of the said borough of Hazleton, and to ditch and lay pipes through the same, and the same, from time to time, to alter, inspect or repair, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof as little as possible. Authorized to supply water.

SECTION 2. The said company shall have full power and authority to take, enter upon, occupy and hold any lands and tenements, fountains, springs, stream or streams of water necessary for procuring, conducting and conveying water to Price, how regulated.

Powers of entry upon lands.

To take springs, &c

Damages, how as-
certained.

said borough, making compensation to the owner or owners thereof in the manner provided by the general law regulating gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and the several supplements thereto.

Power to enter up-
on giving security.

SECTION 3. The said company shall have full power and authority to enter at once into the possession and use of such premises, fountains, springs, stream or streams of water, enclosures, roads, streets, lands and tenements upon giving or tendering to the claimant or claimants their bond or bonds, in such amount with such security as may be approved by one of the judges of the court of common pleas of Luzerne county, conditioned for the payment to the said claimant or claimants of such sum as they shall be entitled to receive under the provisions of the said general act regulating gas and water companies.

APPROVED—The 23th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 464.

An Act

To repeal an act, entitled "An Act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county," approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted, &c.,* That an act of assembly, entitled "An Act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county," approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty, be and the same is hereby repealed so far as the same relates to the said township of Mahanoy, and that the law, as existing in said township prior to the passage of the act hereby repealed, is hereby revived: *Provided,* That hereafter but one supervisor shall be elected in said township.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 465.

An Act

Authorizing the commissioners of York county to provide and furnish a convenient room, as an office for the county superintendent of common schools, and for the accommodation of the teachers' library of said county.

SECTION 1. *Be it enacted, &c.,* That the commissioners of York county are hereby authorized and required to provide a convenient room in the court house or elsewhere, in the borough of York, in said county, and furnish the same with the necessary fixtures for the use and accommodation of the county superintendent of common schools of said county, and for the accommodation of the teachers' library, and pay the expenses attending the same out of the funds of the said county as other county expenses are paid: *Provided,* That the annual rent of a room for that purpose shall not exceed one hundred dollars, and the sum expended for necessary furniture and fixtures shall not exceed the sum of one hundred dollars.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 466.

An Act

Creating a board of commissioners, with authority to have made a set of new indexes of the records of the several courts of Lancaster county, and providing for the payment of the same, and of the offices of register and recorder of said county.

SECTION 1. *Be it enacted, &c.,* That John B. Livingston, Board of commis- William M. Slaymaker and George J. High be and they are sioners. hereby appointed a board of commissioners, with power to contract with one or more persons for making a complete set of new indexes of the records contained in the several courts of Lancaster county and of the offices of register and recorder of said county; said indexes to be prepared in such manner and form, and within such time as shall be agreed upon in the contract between the said commissioners and the party with whom they shall contract: *Provided,* That the party contracting to make such indexes shall give a bond with sufficient surety, for the faithful performance of said contract; said bond to be approved by said board of commissioners. Indexes to be made. Security required

Compensation, how
paid.

SECTION 2. The party contracting as aforesaid to make such indexes, shall receive therefor such compensation as shall be agreed upon in and by said contract, to be paid at such time or times, and in such manner as shall be agreed upon, out of the treasury of said county, in like manner as other claims against said county are now by law paid.

How indexes to be
opened and kept.

SECTION 3. After these indexes shall have been completed, it shall be the duty of the officers to open and keep the indexes to papers recorded by them, from and after that time, in such manner as will make the indexes in said offices uniform with those prepared under and by virtue of said contract.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 467.

An Act

To authorize the authorities of the borough of Shickshinny, to collect their road tax in money.

SECTION 1. *Be it enacted, &c.,* That the authorities of the borough of Shickshinny, in the county of Luzerne, and state of Pennsylvania, be and are hereby authorized and empowered to collect the road tax of said borough, in money, and not in labor; said road tax to be collected in the same form and manner as other taxes of said borough are collected.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 468.

An Act

Authorizing the erection of a house for township and election purposes in the borough of Union City, Erie county, and empowering the road commissioners of Union township to levy and collect an additional tax.

Road commission-
ers authorized to
purchase lot and
 erect building.

SECTION 1. *Be it enacted, &c.,* That the road commissioners of the township of Union, in the county of Erie, be and are hereby authorized and empowered to purchase a lot of

ground in the borough of Union City, in the county of Erie, and to erect, or cause to be erected thereon, a house of sufficient dimensions to accommodate the meetings of the road commissioners, school directors and auditors of said township of Union, to be used also for election purposes, and for such other purposes as the road commissioners of said township shall deem proper.

SECTION 2. That the qualified voters of Union township, in the county of Erie, shall hold their general and township elections at the house authorized to be erected by this act, in the borough of Union City aforesaid, immediately after the said house shall be erected and fit for occupancy. Elections be held in.

SECTION 3. That the road commissioners of said township of Union, are hereby authorized and required to levy and collect a tax of the taxable property of said township to pay for the lot of ground, and for the erection, and furnishing and repairing of said building which shall be under their control; said taxes to be levied and collected in the same manner as the school taxes of said township are levied and collected: *Provided*, No more than one per cent. upon the assessed valuation of property in said township, in addition to that now existing, shall be levied and collected in any one year. Tax authorized. Limit of.

SECTION 4. That it shall be lawful for the road commissioners of said township to borrow money, in such sums as they may deem necessary, to purchase said lot of ground, and to carry out the construction of the building aforesaid, and give such evidence of debt for the same, and the interest thereon, as may be agreed upon by the parties interested: *Provided*, That the whole cost of the aforesaid lot of ground, and the building to be erected thereon, shall not, in the aggregate, exceed the sum of two thousand dollars. May borrow money. Proviso.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 469.

An Act

To authorize the burgess and council of the borough of Girardville, Schuylkill county, Pennsylvania, to borrow money and issue bonds therefor, not exceeding the sum of fifteen hundred dollars, to be used in paying off their present indebtedness, and making public improvements.

SECTION 1. *Be it enacted, &c.*, That the burgess and council of the borough of Girardville, of the county of Schuylkill, be and they are hereby authorized to borrow in the name, and upon the faith, credit and responsibility of the said borough of Girardville, any sum or sums of money not exceed- Authorized to borrow money and issue bonds

ing, in the aggregate, the sum of fifteen hundred dollars, (\$1,500,) and to issue bonds in the name of the said borough of Girardville, free from taxation, except for state purposes, payable in not less than five years, nor more than ten years, redeemable after five years at the option of the said borough of Girardville; the bonds to be issued in sums of not less than one hundred dollars, (\$100,) at a rate of interest not to exceed seven per cent. per annum on the dollar, payable semi-annually: *Provided*, That the borough treasurer shall receive no compensation whatever for either receiving or paying out borrowed money.

Exempt from local taxation. **Proviso.** **Fund reserved for payment of loan, &c.** SECTION 2. That it shall be the duty of the burgess and council of said borough of Girardville, and they are hereby required annually to resume and set apart from the revenues of the said borough council a sum sufficient to pay the interest on the said loan, and to redeem as much of the principal sum as in their judgment the interests of the borough shall demand.

Repeal. SECTION 3. That all laws or parts of laws inconsistent with this act are hereby repealed.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 470.

An Act

To increase the compensation of county commissioners, witnesses, supervisors, township auditors, and the sheriff for boarding prisoners, in the county of Clarion.

Commissioners, §3. SECTION 1. *Be it enacted, &c.*, That from and after the first day of January, Anno Domini one thousand eight hundred and seventy-three, the compensation of the county commissioners of Clarion county, shall be three dollars for each day necessarily spent in discharging the duties of their office, and the compensation of the township auditors in said county, shall be two dollars for each day necessarily spent in the discharge of the duties of their office.

Auditors, §2. **Court may fix sheriff's compensation for boarding prisoners.** SECTION 2. The court of quarter sessions of the peace in and for the county of Clarion, shall have the power to increase or decrease, from time to time, the compensation of the sheriff of said county for boarding prisoners in the county jail: *Provided*, That said compensation shall not exceed sixty cents per day for each prisoner.

Witnesses, §1. SECTION 3. That hereafter the fees of witnesses attending all courts of record in Clarion county, shall be one dollar per day.

SECTION 4. That the compensation of supervisors of roads shall be two dollars per day, for each day necessarily spent in the discharge of his or their official duties in said Clarion county. Supervisors, \$2.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 471.

An Act

To provide for an election of supervisor and treasurer in the town of Girardville, county of Schuylkill.

SECTION 1. *Be it enacted, &c.*, That the qualified electors of the borough of Girardville, in the county of Schuylkill, be and they are hereby authorized and required, at the next election for borough officers for the said borough, and annually thereafter, to elect one person as borough supervisor, and one person for borough treasurer, who shall hold and exercise said offices until their successors shall be duly qualified: *Provided*, That the election for the said borough supervisor and treasurer shall be held and conducted at the time and in the place prescribed for the election of the burgess of said borough; any provision in the charter of the said borough inconsistent with this act be and the same is hereby repealed. Election of supervisor and treasurer

SECTION 2. That the said borough treasurer, before entering on his duties, shall take the oath or affirmation now prescribed in the case of borough officers of said borough, and shall give bond, with security, in a sum not exceeding double the amount of taxes which shall or may come into his hands; which bond shall be subject to the approval of the court of common pleas of Schuylkill county, and when approved shall be filed therein; and that the compensation of the said borough treasurer shall be at the rate of not exceeding one per centum on all moneys paid out by him, on orders properly drawn. Treasurer to give bond. His compensation.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 472.

An Act

Authorizing the town council of the borough of Tamaqua, in the county of Schuylkill, to borrow money for the purpose of erecting a lock-up and hose carriage houses, and to fund the present indebtedness of the same; also providing for the payment of the principal and interest on the money borrowed by authority hereof.

Authorized to borrow money and issue bonds.

SECTION 1. *Be it enacted, &c.*, That the town council of the borough of Tamaqua, in the county of Schuylkill, be and they are hereby authorized and empowered to borrow on the credit of the said borough, for the purposes of erecting a lock-up and hose carriage houses, and to fund the present indebtedness of the same, any sum of money not exceeding seventy thousand dollars, at a rate of interest not exceeding seven per centum per annum, payable semi-annually, and to issue bonds therefor in sums of not less than one hundred dollars, which bonds shall be redeemable at the pleasure of the said town council at any time after the expiration of five years, and within the period of twenty years from the date thereof, and that said bonds shall be exempt from taxation except for state purposes.

Exempt from local taxation.

Levy tax.

SECTION 2. That the town council aforesaid are further authorized and empowered, from time to time, to raise by taxation in the manner pointed out by existing laws for that purpose, in addition to the taxes already authorized by law to be levied and collected, such sum or sums of money as may be necessary to pay off the principal and interest of said bonds: *Provided*, That such tax shall not exceed five mills in any one year.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 473.

An Act

For the protection of sheep and the taxing of dogs in the county of Wyoming.

Duty of commissioners.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall be the duty of the commissioners of Wyoming county, and they are hereby required, to cause an accurate return to be taken, annually, by the assessors of the

several townships and boroughs within the said county, of all dogs owned or possessed by any person or persons, within their respective townships and boroughs, particularly noting the number owned or possessed by each person and kept about any one house; and when the said commissioners shall have so ascertained the number of dogs aforesaid, they shall levy and cause to be collected, annually, from any person or persons owning or possessing one dog, one dollar, and for every additional dog kept about the same house, two dollars, and for every female dog or bitch, three dollars, at the same time and in the same manner as the county rates and levies are collected, and the same fees shall be allowed for collection; and said collectors shall pay the sum so collected to the county treasurer, and it shall be the duty of the county treasurer to keep separate accounts of the money arising from the tax on dogs; and the said money shall be and is hereby appropriated as a fund for remunerating the inhabitants of said county for any loss they shall sustain, after the passage of this act, by sheep being destroyed or injured by a dog or dogs.

Tax to be levied and collected.

How appropriated

SECTION 2. That every dog kept or staying about any house shall be deemed sufficient evidence of ownership to authorize the assessor to return the person inhabiting said house, as the owner or possessor of such dog; and every dog not returned shall be deemed to have no owner, and may be lawfully killed by any person seeing said dog running at large.

Evidence of ownership.

Dogs not returned may be killed.

SECTION 3. That when any inhabitant of any township or borough of the county aforesaid shall have any sheep destroyed or injured by a dog or dogs, he may make complaint by affidavit filed to one of the justices of the peace of his or her township or borough, who shall thereupon appoint three disinterested persons appraisers, who are hereby authorized and required to view and ascertain the amount of damage sustained by the owner of such sheep so destroyed or injured, and who shall have full power and authority, to examine upon oath or affirmation to be by them administered, any persons who may appear before them as witnesses, relative to said damages; and when the said appraisers shall have ascertained the legality of the claim and the damages so sustained, they or any two of them shall certify the same, under their hands and seals, to the commissioners of the said county, who shall file and number the same, and make a memorandum of the day when filed, in a book kept for that purpose, and whenever there is any money in the treasury arising from the tax on dogs, they shall draw a warrant on the county treasurer for the amount so found and certified, which shall be paid out of the fund arising from the aforesaid tax on dogs: *Provided*, Said appraisers shall not, in any case, make any certificate of damages as aforesaid in any case in which, in their opinion, there shall be sufficient proof to charge the solvent owner or owners of said dogs with such damages, until after suit shall have been brought, tried and judgment therein rendered against the plaintiff.

Persons suffering losses may make complaint to justice.

Appraisers to be appointed.

Their powers and duties.

Warrant to be drawn for damages sustained.

Appraisers not to make certificate in certain cases, until suit is brought, &c

SECTION 4. In all cases arising under this act the said appraisers shall inquire whether the claimant of damages as aforesaid owns, keeps or possesses any dog or dogs, and

To inquire whether claimants keep dogs.

Right to compensation forfeited if dogs are not returned.

Compensation of appraisers.

Fees of justices.

Appraisers to be sworn.

Penalty for keeping dogs not returned.

How funds in hands of county treasurer to be applied.

Unpaid certificates

How surplus moneys to be disposed of.

Dogs seen in sheep enclosure may be killed.

whether the same was duly returned and taxed, of which act, together with the appraisement of damages aforesaid, they shall make report to the commissioners of the said county; and if it shall appear to the said commissioners that the owner aforesaid did not make a true return to the proper assessor of the said dog or dogs, the said owner shall not receive any part of the said damages, but shall be liable for the justice fees and the appraisers' per diem.

SECTION 5. That the persons so appointed appraisers shall severally receive for their services the sum of one dollar per day, while engaged in the performance of their duties under this act, and the justice of the peace shall receive fifty cents for his services in each case, which sums shall be added to and paid with the damages so appraised; and the said appraisers, after their appointment, and before they enter upon the performance of their duties enjoined by this act, shall severally take and subscribe before the said justice an oath or affirmation that they will faithfully and impartially perform all of their said duties to the best of their judgment and ability, which said certificate shall be immediately filed in the office of the county commissioners.

SECTION 6. That if any person in said county shall permit any dog or dogs to be kept or remain about his or her premises, that is not returned by him or her to the assessor, such person shall be liable to pay a fine of five dollars for each and every dog, to be recovered in a suit in the name of the commonwealth before a justice of the peace, as debts of a like amount are by law recoverable, one-half thereof to be paid to the informer, and the other half to be paid to the county treasurer to be placed by him in the fund of taxes on dogs.

SECTION 7. Any funds now in the hands of the treasurer of said county, arising from taxes on dogs, shall be applied to the payment of claims for damages now on file in the commissioners' office of said county, in the order in which said claims were filed, on the proper warrant of the said commissioners; and any certificates of such damages thereafter remaining in the hands of commissioners of said county, and unpaid, shall take effect and be paid in the same order and manner as if the same had been duly found and filed under this act.

SECTION 8. That should the fund arising from tax on dogs aforesaid, accumulate in the treasury to an amount beyond what the county commissioners may think necessary to carry out the provisions of this act, they shall have power, and they are hereby required as often as such contingency occurs, to proceed to set apart such surplus for common school purposes, and to divide the same among the several school districts within the said county, in proportion to the number of taxable inhabitants in each of the said school districts, and shall draw their warrant in favor of the school treasurers of the respective school districts for their proportions of the sum to be paid out, accounted and settled for by the said school treasurers as the common school fund is paid out, accounted and paid for.

SECTION 9. That any dog seen in an enclosure where sheep are kept within said county, except where in company with

the owner or some member of his or her family, may be lawfully killed.

SECTION 10. Dogs in said county are hereby declared to be personal property. Declared personal property.

SECTION 11. The commissioners of said county shall have authority to make such exonerations to said collectors as they shall deem just and proper. Exonerations.

SECTION 12. The commissioners of said county are hereby authorized and required to levy the tax called for by this act on the assessment of dogs in said county, made previous to the passage of this act. How tax to be levied.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 474.

An Act

Relating to the sale of merchandise on the grounds of the Doylestown Agricultural and Mechanical Institute Society.

WHEREAS, The agricultural interests of Pennsylvania constitute one of the chief sources of its wealth: Preamble.

And whereas, For the better dissemination of seeds, implements, live stock and agricultural wares; therefore,

SECTION 1. *Be it enacted, &c.*, That the Doylestown Agricultural and Mechanical Institute Society, at Doylestown, Bucks county, be and they are hereby authorized under such rules and regulations as said society shall make, to permit all exhibitors and others at public or private sale, to sell their stock, implements, wares and other personal property on the grounds of said society: *Provided*, That nothing herein contained shall apply to sanction, permit or tolerate the sale of any spirituous, vinous, malt or brewed liquors on said ground. May permit sales on grounds.

SECTION 2. All acts or parts of acts of assembly inconsistent with the provisions of this act be and the same are hereby repealed. Repealing clause.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 475.

An Act

To extend the provisions of "An Act to prevent horses, mules, sheep and hogs from running at large in North Heidelberg township, in the county of Berks," approved April seventeenth, Anno Domini one thousand eight hundred and sixty-nine, to the townships of South Hanover and Middle Paxton, Dauphin county.

SECTION 1. *Be it enacted, &c.*, That the provision of an act, entitled "An Act to prevent horses, cattle, mules, sheep and swine from running at large in the township of North Heidelberg, Berks county," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to the townships of South Hanover and Middle Paxton, in the county of Dauphin.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 476.

An Act

Providing for the payment of a bounty on skunks in Luzerne county

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, whenever any person or persons who may kill any skunk or skunks within the county of Luzerne, in this commonwealth, shall produce the scalp or scalps having the ears thereon, before any justice of the peace in and for said county, it shall be the duty of the said justice to examine such person or persons on oath or affirmation, touching the time when and the place where such skunk or skunks was or were taken and killed, and if the same shall be found to be within the bounds of said county, it shall be the duty of such justice to certify the same to the commissioners of the county, who shall immediately draw their warrant or order on the county treasurer for the sum of fifty cents for each and every scalp of a full grown skunk, and it shall be the duty of such treasurer, and he is hereby directed to pay the amount of said order or warrant on its being presented to him for that purpose.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 477.

An Act

To change the mode of levying and collecting the dog tax in the county of Potter.

SECTION 1. *Be it enacted, &c.,* That it shall be the duty of the school directors in the several school districts in the said county, to levy a tax not less than fifty cents, nor more than one dollar, on each and every dog owned in the said district, to be paid by the owners thereof for the support and maintenance and of common schools in the said district, to be collected as other school taxes are by law collectible.

School directors to levy tax.

How to be appropriated.

SECTION 2. That possession shall be considered conclusive evidence of ownership on all questions that may arise on that subject.

Possession evidence of ownership.

SECTION 3. That all laws now existing, requiring the county commissioners to levy and collect the said taxes and disburse the same, are hereby repealed.

Repealing clause.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 478.

An Act

Extending the provisions of an act approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight, entitled "An Act to prevent cattle, horses, mules, sheep and hogs from running at large, in Upper and Lower Merion townships, Montgomery county, and the townships of Upper and Lower Nazareth, in the county of Northampton," to Whitpain and Upper Providence townships, in Montgomery county.

SECTION 1. *Be it enacted, &c.,* That the provisions of an act approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight, entitled "An Act to prevent cattle, horses, mules, sheep and hogs from running at large in Upper and Lower Merion townships, Montgomery county, and townships of Upper and Lower Nazareth, in the county of Northampton," be and the same are hereby extended to the townships of Whitpain and Upper Providence, in the county of Montgomery.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 479.

An Act

To extend the provisions of an act, entitled "An Act to prevent cattle, horses, sheep and swine from running at large in the townships of Farmington and Columbus, in the county of Warren," to the township of Glade, in said county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act of assembly, approved the fifteenth day of March, Anno Domini one thousand eight hundred and seventy, entitled "An Act to prevent cattle, horses, sheep and swine from running at large in the townships of Farmington and Columbus, in the county of Warren," be and the same are hereby extended to the township of Glade, in said county.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 480.

An Act

To extend to the Philadelphia, Newtown and New York Railroad Company the franchises of the Kensington and Oxford Turnpike Company, upon that part of their turnpike road sold to, but not used for railroad purposes by said railroad company, and to confirm said sale.

SECTION 1. *Be it enacted, &c.*, That all the powers, rights, privileges and franchises vested in the Kensington and Oxford Turnpike Company, previous to the contract made by that company with the Philadelphia and Newtown Railroad Company, bearing date the fifteenth day of May, Anno Domini one thousand eight hundred and seventy-two, for the sale of that part of the turnpike road of said turnpike company, south of the south side of Rising Sun lane, over, upon and respecting that part of said turnpike road, be and the same is extended to and vested in the Philadelphia, Newtown and New York Railroad Company, and that said contract of sale is confirmed with like effect as if the provisions of this act were embraced in the original charter of said railroad company.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 481.

An Act

Relating to the appointment and salaries of the criers and tipstaves of the various courts of Allegheny county.

SECTION 1. *Be it enacted, &c.,* That from and after the first day of April, one thousand eight hundred and seventy-three, instead of the present per diem compensation allowed them by law, the compensation of the criers and tipstaves of the various courts of Allegheny county, shall be a salary at a rate not exceeding one thousand dollars per annum. Compensation.

SECTION 2. That the sum shall be fixed by the judges of the several courts of said county respectively, each court for their respective criers and tipstaves, and shall be paid monthly thereafter upon the second Monday of each and every month, in like manner and out of such funds as the said officers are now paid. How to be fixed and paid

SECTION 3. That the salaries so fixed as aforesaid shall cease and determine upon the death, resignation or removal of any appointee under the provisions of this act; and the power of appointment, as also of removal at any time, and for any reason or reasons by them adjudged sufficient, shall be and the same is hereby lodged with and left to the discretion and judgment of the judges of said several courts respectively. When to determine.
Power to appoint and remove.

SECTION 4. That all laws or parts of laws inconsistent herewith be and the same are hereby repealed. Repealing clause.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 482.

An Act

Increasing the compensation of the directors of the poor of Chester county.

SECTION 1. *Be it enacted, &c.,* That the directors of the poor of Chester county shall receive for their services the sum of three dollars per day, for each and every day that they and each of them may be officially engaged, and in addition thereto, shall be allowed mileage at the rate of six cents for each and every mile that they may travel in the discharge of their official duties: *Provided,* That mileage shall only be allowed Compensation.

Mileage.

for the necessary travel in going from their respective homes by the shortest route to the county alms-house and returning, and shall not be estimated exceeding once in each week; the said per diem and mileage to be allowed from the first day of January, Anno Domini one thousand eight hundred and seventy-four.

When to publish annual statement.

SECTION 2. That hereafter the directors of the poor are hereby authorized and required to publish their annual statement at the same time the annual statement of the commissioners of said county is published.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 483.

An Act

Relating to the Harrisburg City Passenger Railroad Company, authorizing the sale of its property and franchises, and vesting the same in the purchasers thereof.

Sale of road authorized.

SECTION 1. *Be it enacted, &c.*, That it shall and may be lawful for the board of directors of the Harrisburg City Passenger Railroad Company, to sell at public sale, after three weeks' notice in two newspapers published in Harrisburg, to the highest bidder or bidders, all the property, real, personal and mixed, rights, privileges and franchises of said company, and upon receipt of the purchase money to execute and deliver to the purchaser or purchasers thereof, a deed under the hands of the president and secretary, and the corporate seal of the company, conveying the same to him or them free of all incumbrances whatsoever.

Proceeds of sale, how appropriated.

SECTION 2. That the net proceeds of said sale, after payment of the expenses thereof, shall be appropriated by the said directors as follows, namely: First. To the payment of wages of laboreis and employees as now provided by law. Second. To the payment of the mortgage bonds issued by the said company, and secured by a mortgage dated the twenty-fifth day of June, Anno Domini one thousand eight hundred and sixty-six, to George W. Buchler as trustee upon the entire property and franchises of the said company, which mortgage is duly recorded in the proper office at Harrisburg. Third. To the payment of all other debts and obligations of the company. Fourth. The remainder of said purchase money, if any, shall be paid over *pro rata* to the stockholders of the company.

Purchasers made a body politic.

SECTION 3. That upon receipt of the deed from the president and secretary as aforesaid, the purchaser or purchasers of the said premises, and such other persons as may be asso-

ciated with them as hereinafter provided, and their successors, shall become a body politic in law and in fact under the name, style and title of the Harrisburg City Passenger Railroad Company, and by that name shall have perpetual succession, and be invested with all and singular the rights, franchises, privileges and immunities, and be subject to all the limitations and restrictions contained in the act, entitled "An Act to incorporate the Harrisburg City Passenger Railroad Company," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, as fully and amply as if the provisions of the said act were herein fully set forth and enacted in detail.

Title.

Privileges, &c.

SECTION 4. That in order to enable the purchasers of the said property and franchises, under the charter herein granted, to raise the necessary funds, to renew, extend, equip and operate their railway successfully, it shall be lawful for them to issue stock to themselves or their assigns to such an amount as in their judgment shall represent the value of the property and franchises purchased by them under this act, and to dispose of so much of the remainder of the capital stock authorized by this act, as they may deem necessary for the interests of the company.

May issue stock.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 484.

An Act

To provide for the opening of Williamson street, in the First ward, in the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That within ninety days after the passage of this act, the chief commissioner of highways of the city of Philadelphia, is authorized and empowered to have Williamson street, in the First ward of said city, opened, graded, curbed and paved from Crosby street to Second street, being a distance of one hundred and five feet or less, according to the confirmed width and plan of said Williamson street: *Provided*, It be at no expense to the city of Philadelphia.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 485.

An Act

To extend the provisions of an act, entitled "An Act to prevent the destruction of fish in Little Conewago creek and its tributaries, and the West Branch of the Codorus creek and its tributaries, in York and Adams counties," approved the twenty-first day of March, Anno Domini one thousand eight hundred and seventy-two, to include the Big Conewago creek, from its source to its mouth, and its tributaries.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act to prevent the destruction of fish in the Little Conewago creek and its tributaries, and the West Branch of the Codorus creek and its tributaries, in York and Adams counties, are extended to and include the Big Conewago, from its source to its mouth, and its tributaries.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 486.

An Act

Authorizing the surviving members of the citizens' bounty fund committee of Philadelphia, to pay over an unexpended balance of funds to the Northern Home for friendless children and to the Lincoln institution, to be used for the benefit of soldiers' orphans.

WHEREAS, The surviving members of the citizens' bounty fund committee of Philadelphia, an unincorporated association, appointed in the year eighteen hundred and sixty-one, at a public meeting of the citizens of Philadelphia, to receive voluntary contributions, and to expend the same in their discretion in aid of the enlistment and equipment of soldiers, to be mustered into the service of the United States for the maintenance of the federal union, have remaining in their care an unexpended balance of the money so contributed, and there are no longer any objects within the intent of the purposes and uses for which the said funds were contributed, upon which to expend the same and no legal claims to any part thereof yet unsettled:

And whereas, In consequence of the number of contributors and the inequality of the sums so contributed as aforesaid, it is impossible to distribute the unexpended balance proportionably among them:

And whereas, It is right and just that the said unexpended balance shall be appropriated to purposes as nearly alike as may be to those for which such money was given, and the surviving members of the said committee have resolved to divide the same equally between the Northern Home for friendless children and the Lincoln institution, to be used by them in accordance with their respective rules, in the maintenance and education of the orphan children of soldiers, and desire upon the payment of the money as aforesaid, to be relieved from further duty in the premises; therefore,

SECTION 1. *Be it enacted, &c.*, That George Whitney, Adolph E. Borie, William Welsh, George H. Stewart, Charles Gibbons, J. Ross Snowden, Loren Blodgett, Samuel W. De Coursey, Thomas Webster, John E. Addicks, John D. Watson, James Milliken and Alexander Henry, the surviving members of the citizens bounty fund committee of the city of Philadelphia, be and they are hereby authorized and empowered after payment thereof of all proper charges and expenses, to divide and pay over the unexpended balance of the funds in charge of the said committee, in equal parts, to and between the Northern Home for friendless children and the Lincoln institution, both of the city of Philadelphia, to be used by the said institutions towards the support and education of the orphan children of soldiers, in accordance with the rules of the said institutions respectively, and that upon such payment to the said institutions, the said committee and the said surviving members thereof shall be fully discharged from all claim or demand, for or on account of the funds received and disbursed by them as aforesaid.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 487.

In Act

To constitute George K. Heller, Robert B. Haines, Thomas Williams, Thomas T. Mather, William B. Birchell and Robert Shoemaker trustees, and to authorize and empower them to exchange certain lands with Thomas Rowland, Jr.

WHEREAS, By a certain indenture, dated the twentieth day of July, in the year of our Lord one thousand seven hundred and ninety-six, (1796,) Samuel Miles and Catharine his wife, *et. al.*, did grant and convey unto Thomas Fletcher, Caleb Fallowell, John Thompson, John Jones, Amos Jones and William Bailey, a certain lot or piece of ground situate in Cheltenham township, in the county of Montgomery, on the north east side of a road leading to Germantown, in trust to

and for the accommodation of a school to be kept on said premises as in and by the said indenture, recorded in the office for recording deeds for the county of Montgomery, in deed book number eight, page seven hundred and thirty-four, et cetera:

And whereas, All the trustees named in the said deed of conveyance have since died; therefore,

SECTION 1. *Be it enacted, &c.*, That George K. Heller, Robert B. Haines, Thomas Williams, William K. Bray, William B. Birchell and Robert Shoemaker, are hereby constituted trustees, and are authorized and empowered to exchange with Thomas Rowland, Jr., and make and receive good and sufficient deeds for the same, so much of a certain lot or piece of ground, situate in Cheltenham township, Montgomery county, on the south east side of a road leading to Germantown, granted and conveyed by Samuel Miles and Catharine his wife, *et. al.*, to Thomas Fletcher *et. al.*, by indenture dated July twentieth, one thousand seven hundred and ninety-six, recorded in the office for recording deeds in the county of Montgomery, in deed book number eight, page seven hundred and thirty-four, et cetera, as may be necessary to straighten the line between the property of the said Thomas Rowland, Jr., and the property held by the said trustees as aforesaid: *Provided*, That not more than thirty feet fronting on the said road leading to Germantown, shall be conveyed by said trustees to the said Thomas Rowland, Jr.: *And provided further*, That no part of the property received in exchange by the said trustees, shall be used for any other purpose than that provided for the premises described in the indenture aforesaid.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 488.

A Further Supplement

To an act to incorporate the Provident Life and Trust Company of Philadelphia, authorizing an increase of the capital of the said company and a change in the par value of the shares thereof, and allowing said company to insure the safety of property entrusted to their keeping.

SECTION 1. *Be it enacted, &c.*, That the Provident Life and Trust Company of Philadelphia, shall have the power to increase the capital stock of said company, from time to time, as the stockholders by vote at special meetings, to be called from time to time for that purpose, may determine, to a sum not exceeding two millions of dollars.

May increase capital stock.

SECTION 2. That whenever the stockholders of said company, at a general or special meeting thereof may so elect and decide, the par value of the shares of the capital stock of said company may be changed from fifty dollars per share to one hundred dollars per share, and the old certificates thereof taken in and new ones issued in lieu thereof, at the rate of one share at the increased value for two of the old shares.

Par value of shares may be changed.

SECTION 3. That the said company shall also have power to receive upon deposit, for safe-keeping, stocks, bonds and other property or valuables, and to make insurance for the safe-keeping and proper return thereof, upon such terms and conditions, as by by-laws and rules of the said company may be prescribed.

May insure safety of property in their keeping.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 489.

An Act

Regulating the mileage of the commissioners of the county of Lehigh.

SECTION 1. *Be it enacted, &c.*, That in addition to the compensation now received by the commissioners of the county of Lehigh, they shall receive mileage, at the rate of five cents per mile circular, for each mile traveled in the discharge of their official duties: *Provided*, That mileage to and from the county seat shall not be chargeable oftener than once a week.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 490.

An Act

To regulate fishing in Slippery Rock creek and its tributaries, in the county of Butler.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act it shall be unlawful for any person or persons to fish in the Slippery Rock creek and its tributaries, within the county of Butler, with a seine more than six feet in length; nor shall any person or persons be at liberty in fish-

Fishing regulated.

ing in said stream and its tributaries, to trespass upon the land of another.

Capias to issue for violation of act.

Penalties.

SECTION 2. That information being made before a justice of the peace of the violation of any provision in the foregoing section, a *capias* shall issue, and if upon final hearing the evidence is satisfactory, each party so offending shall be fined not less than five, nor more than twenty-five dollars, for the first, and for any subsequent offence not less than ten, nor more than fifty dollars, to be applied to the school fund of the school district in which said offence was committed.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 491.

An Act

Appointing commissioners to lay out and open a public road in the township of Morris, Tioga county, from the village of Nauvoo to the public road leading from Wellsboro' in Tioga county, to English's Centre, in Lycoming county, authorizing said commissioners to borrow money for this purpose.

Commissioners.

Location of road.

SECTION 1. *Be it enacted, &c.*, That John Linck, William W. Babb and William B. Emmick, are hereby appointed commissioners to lay out and open a public road in the township of Morris, in the county of Tioga, to commence at or near the village of Nauvoo, and terminating at a point on the public road leading from Wellsboro' to English's Centre, about two and a-half miles southwardly from Babb's.

Width and grades.

Report and draft.

SECTION 2. Said commissioners, or a majority of them, shall, as soon as practicable, proceed to lay out and open the said road by the best and most convenient route of a width of fifty feet, and on grades nowhere exceeding a rise or fall of five feet in any distance of one hundred feet, and shall make a report of the survey of the said road to the court of quarter sessions of Tioga county, together with a draft of the same, showing the location of said road with its courses and distances thereon marked, and shall deposit the same with the clerk of said court, who shall record the same as other roads are recorded, and thenceforth the said road shall be a public highway, and shall be kept in repair by the township as other public roads are kept in repair.

May borrow money

How to be expended.

SECTION 3. Said commissioners are empowered to borrow the sum of five hundred dollars, at a rate of interest not exceeding seven per centum per annum, which sum shall be expended by them in a judicious manner, to wit: *First*. In cutting down the standing timber on the line of said road of the width aforesaid, and removing so much of said timber and

other obstructions as may be necessary for a wagon track. *Second.* In bridging the streams which said road may necessarily cross. *And third.* In any work on said road which they shall deem most expedient for the public good.

SECTION 4. In case any claim for damages shall be made by reason of the location of said road, it shall be the duty of said commissioners to decide whether such claimant be justly entitled to compensation or otherwise, and if so entitled, they shall fix the sum to be paid to such claimant, and make report thereof to the court of quarter sessions, which report shall be subject to adjudication by said court as provided by law in road cases in said county, and the damages so assessed shall be paid by the county of Tioga, as other road damages are paid. Damages, how settled.

SECTION 5. On making the loan of five hundred dollars herein authorized, the said commissioners shall execute a bond or bonds to the person or persons from whom the loan is obtained, stating the purpose for which said bond was given and its time of payment, and the said bond shall be paid by the said township of Morris as other township debts are paid. May issue bonds.

SECTION 6. In case any one or all of said commissioners shall refuse or neglect to perform the duties herein prescribed, or shall resign or die, the said court of quarter sessions shall appoint another or others in his or their stead. Vacancies, how filled.

SECTION 7. The commissioners aforesaid shall not be entitled to any compensation for time expended or services rendered in the performance of the duties herein prescribed, but this provision shall not be construed to deprive them of the right to day wages for labor performed by them in cutting out and opening said road. Compensation.

SECTION 8. Before said commissioners shall enter on the duties of their appointment, they shall be sworn or affirmed in the same manner that road viewers are sworn or affirmed under the provisions of the general road laws of this commonwealth, and shall state in their report aforesaid that they were so sworn or affirmed; and they shall give bond to said township, with sufficient surety, in double the sum of money to come into their hands, conditioned for the faithful application of said moneys to the uses herein prescribed, which said bond shall be approved by the auditors of said township; and on the completion of said road, said commissioners shall file an account for said moneys with said auditors, who shall audit the same as accounts of supervisors are now audited with right of appeal as in similar cases. Commissioners to be sworn. And give bond. To file account.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 492.

A Supplement

To an act, entitled "A supplement to an act for the better management of the Allegheny county prison," approved the first day of February, Anno Domini one thousand eight hundred and fifty-six.

Special tax authorized.

SECTION 1. *Be it enacted, &c.*, That for the purpose of enabling the board of managers of the Allegheny County Work-house and Inebriate Asylum, to erect, complete and finish the buildings and improvements commenced and contemplated by them under the provisions of the act to which this is a supplement, that is for the erection of a female department, the commissioners and comptroller of said county are hereby authorized to levy and appropriate, for the year eighteen hundred and seventy-three, a special tax of one mill on the assessed valuation of Allegheny county; the proceeds of this special tax shall be paid to the said board of managers for the purposes mentioned in this section.

When to take effect.

SECTION 2. This act shall take effect and be in force from and after its passage.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 493.

An Act

To repeal an act, approved the second day of April, Anno Domini one thousand eight hundred and seventy-two, authorizing the supervisors of Mifflin township, in the county of Dauphin, and Lower Mahanoy township, in the county of Northumberland, to build a foot-bridge across the Mahantongo creek.

SECTION 1. *Be it enacted, &c.*, That an act, entitled "An Act authorizing the supervisors of Mifflin township, in the county of Dauphin, and Lower Mahanoy township, in the county of Northumberland, to build a foot-bridge across the Mahantongo creek," approved the second day of April, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby repealed.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 494.

An Act

To repeal an act, entitled "An Act in relation to county bridges in Allegheny county," approved the first day of April, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.,* That an act, entitled "An Act in relation to county bridges in Allegheny county," approved the first day of April, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby repealed.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 495.

An Act

To authorize the appointment of a health officer in the borough of York, and to define his duties.

SECTION 1. *Be it enacted, &c.,* That the chief burgess and town council of the borough of York shall have power and authority, and it shall be their duty, to appoint a competent person, who shall be an educated physician, to be called the health officer of said borough. Such officer shall be appointed within thirty days after the passage of this act, and annually thereafter at the first meeting of the town council after the election of borough officers, and shall hold his office till his successor shall be appointed and duly qualified. Before entering on the duties of his office he shall be sworn or affirmed to perform the duties of his office with fidelity. He shall receive such compensation for his services as shall be fixed by the said town council.

Burgess and town council to appoint health officer.

To be sworn.

Compensation.

SECTION 2. It shall be the duty of said health officer to exercise a general supervision over the health of said borough; to advise said chief burgess and town council in regard to all measures which he shall deem it advisable to adopt to preserve the health of said borough, and to perform all duties properly belonging to his office, which shall be imposed on him by the chief burgess and town council.

His duties.

SECTION 3. It shall be the duty of the said chief burgess and town council, under the advice of said health officer or otherwise, to have all objects which may have a tendency to endanger the health of the citizens removed or corrected; to

Duties of burgess and council.

mark all houses in which any contagious or infectious disease may exist, with flags or otherwise; to provide for the burial of all persons deceased with infectious or contagious disease; to provide for the separation and treatment of any persons suffering from such disease; to provide for the removal to the county hospital of any person suffering from contagious or infectious disease; the directors of the poor of said county are hereby required to receive and provide for such persons, but no person shall be removed except under the supervision, and by the order of said health officer; to enact ordinances requiring every practicing physician to report to said health officer, every person, with the street and number of his or her residence, who may be afflicted with any infectious or contagious disease; to provide for the procurement of vaccine virus by said health officer, and the free vaccination of the poor whenever deemed advisable by said health officer, and generally to make such ordinances and regulations as may be deemed by said health officer, chief burgess and town council, necessary or proper for the preservation of the health of the people of said borough.

Powers of burgess
and council.

SECTION 4. Said chief burgess and town council shall have power to enforce obedience to all orders, regulations and ordinances which shall be adopted by them in pursuance of this act, by imposing such fines as they shall deem proper, upon all persons violating or transgressing such orders, regulations and ordinances, which fines shall be levied, collected and applied as fines for the breach of borough ordinances are now levied, collected and disposed of by existing laws.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 496.

A Supplement

To an act relating to the collection of taxes in the county of Indiana, approved April fourth, one thousand eight hundred and seventy-two, extending time for payment and fixing compensation for constables for making returns.

Time for payment
extended.

SECTION 1. *Be it enacted, &c.,* That so much of the third section of an act, entitled "An Act relating to the collection of taxes in the county of Indiana," approved April fourth, Anno Domini one thousand eight hundred and seventy-two, as provides that in case any state, county or military taxes, assessed in any township or borough within said county, shall remain unpaid after the first day of September in any year, it shall be the duty of the treasurer to issue his warrant, be

and the same is hereby altered and amended as follows: That in case any state, county or military taxes, assessed in any township or borough, within said county, shall remain unpaid after the first day of October in any year, it shall be the duty of the treasurer to issue his warrant.

SECTION 2. That the constables shall be allowed by the commissioners of said county, one dollar and fifty cents per day, together with the mileage now allowed by law to the constables of said county for serving summons, for the time occupied and the distance traveled in making their returns and settling their accounts with the county commissioners and county treasurer, as provided by the act to which this is a supplement.

Compensation of
constables fixed.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 497.

An Act

Extending the provisions of the several acts of assembly relative to mechanics' liens to leaseholds in Allegheny county.

SECTION 1. *Be it enacted, &c.*, That all the provisions of the several acts of assembly, and the supplements thereto, giving a lien to parties doing work or furnishing materials for or about the erection or construction of buildings in the county of Allegheny, are hereby extended to leaseholds in said county: *Provided*, That the lien hereby given shall only extend to the interest of the lessee or tenant in such leasehold.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 498.

An Act

To validate the sale of the real estate of John Nelson, late of Jefferson county, deceased.

WHEREAS, The orphans court of Jefferson county, in eighteen hundred and sixty-two, upon the petition of James Nelson, administrator of John Nelson, deceased, did by regular

and formal decree, direct the said administrator to sell certain premises then supposed to be situate in Washington township, Jefferson county, and Fox township, Clearfield county, bounded on the north by A. Maxwell, east by land of James Nelson, south by land of J. Smith, west by lands of Gordon M'Minn and M'Cann's farm, containing one hundred and sixty-two acres, more or less, being the same land conveyed by Leander M. Drury to John Nelson, deceased, for the purpose of paying the debts of said deceased; and the said administrator did sell the same at public sale for a fair price, and the proceeds thereof were appropriated, according to law, to the payment of the debts of the said deceased, and the said sale was, upon its return to the said court, regularly confirmed, and ordered to be and remain firm and stable forever:

And whereas, It now appears that the said premises so as aforesaid sold, then and now lie wholly within the county of Clearfield, and the sale and proceedings aforesaid were had without knowledge of that fact, and the title to the said land is defective by reason thereof; now, for remedy of the said defect.

SECTION 1. *Be it enacted, &c.*, That the sale of the real estate of John Nelson, deceased, situate as described in the preamble to this act, heretofore made by the administrator of the said John Nelson, deceased, under the order and decree of the orphans' court of Jefferson county, for the payment of the debts of his estate, be and the same is hereby ratified and confirmed, and the same shall be taken, deemed and held to be a valid and effectual sale, and to have like force and effect as if the said real estate, when sold, was situate in the county of Jefferson, and all proceedings therefor had been formal, regular and in accordance with the statutes in such cases made and provided.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 499.

An Act

To incorporate the M'Elhattan and Sugar Valley Turnpike Company.

Commissioners.

SECTION 1. *Be it enacted, &c.*, That George A. Achenbach, Daniel K. Heckman, Henry M. Swenk, David Schrack, Joseph Snook and Michael D. Rockey, of Sugar Valley, and Jacob Dice, S. N. Quiggle, John H. Chatham, Thomas H. Miller, Thomas M'Narney and John Q. Deise, of M'Elhattan, in the county of Clinton, or any three of them, be and they are hereby appointed commissioners to open books, receive sub-

scriptions and organize a company by the name, style and title of the M'Elhattan and Sugar Valley Turnpike Company, to construct a turnpike road commencing on the bank of the West Branch of the Susquehanna, where the public road in the township of Wayne commences, running northwardly near Wayne station, on the Philadelphia and Erie railroad, and running thence by the nearest and best route to a point at or near Logansville, on the White Deer and Sugar Valley turnpike, in the county of Clinton, with the right and privilege of taking, occupying and changing the whole or so much of any public road, between the points named, as may be necessary for the purpose of said turnpike road as may be already laid out or in use, along or on the route of the same, or as may be deemed necessary to shorten or improve the same; which said turnpike company shall be subject to all the privileges and restrictions of an act regulating turnpike and plank road companies, approved January twenty-six, one thousand eight hundred and fifty-nine, and the several supplements thereto, except so far as they are hereby supplied or altered.

Title.

Construction of
turnpike author-
ized.May occupy public
roads.

Subject to.

SECTION 2. That the said company shall have power to borrow money at any rate not exceeding seven per centum per annum, for the purpose of completing their road, and to issue bonds therefor, and sell the same above or below par, and to secure the same by mortgage of their road and franchises; and the president and managers of said company shall have power to establish and regulate tolls established by the act heretofore mentioned, and collect tolls whenever one mile or more at either end of their road shall be completed.

Borrow money and
issue bonds.

Establish tolls.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 500.

An Act

In relation to lists of voters in the county of Berks.

SECTION 1. *Be it enacted, &c.,* That so much of the second division of the seventh section of the act of June thirteenth, one thousand eight hundred and forty, relating to the elections of this commonwealth, as requires county commissioners to furnish every election district with a list of the voters residing therein, be and the same is hereby repealed, so far as the same relates to spring elections in the city of Reading and county of Berks, and it shall be the duty of the inspectors to whom such lists are furnished at the general elections, to preserve the same for use at the city and township election.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 501.

A Supplement

To an act relating to the lien of mechanics and material-men, and to extend the provisions thereof to Susquehanna and Wayne counties, and to apply to painters in said counties.

Liens for alterations and repairs.

Proviso.

Proviso.

Act of June 16, 1836, extended to painters.

SECTION 1. *Be it enacted, &c.,* That the supplement to the act relating to the liens of mechanics and others upon buildings, approved the sixteenth of June, one thousand eight hundred and thirty-six, approved the first day of May, one thousand eight hundred and sixty-one, be and the same is hereby extended to the counties of Susquehanna and Wayne: *And provided,* That nothing in this act shall render property liable to liens for repairs, alterations or additions where the same has been altered by any lessee or tenant without the written consent of the owner or owners, or reputed owner or owners, or his or her duly authorized agent: *Provided further,* That the lien for repairs authorized by this act, shall not have priority over any lien entered before the commencement of such repairs.

SECTION 2. That the several provisions of the act of sixteenth June, eighteen hundred and thirty-six, entitled "An Act relating to the lien of mechanics and others upon buildings," are extended to painters in said counties.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 502.

An Act

Relating to the election and duties of supervisors of public roads and highways in the township of Thornbury, in the county of Chester.

Election of supervisors.

SECTION 1. *Be it enacted, &c.,* That it shall be lawful for the qualified electors of the township of Thornbury, in the county of Chester, at their next election for the supervisors of the public roads and highways in said township, to elect two suitable persons as supervisors of the public roads and highways as aforesaid, one of whom shall serve as such supervisor for the term of one year, and the other of said persons shall serve as such supervisor for the term of two years, and annually thereafter the said electors shall elect one supervisor, to serve for the term of two years.

SECTION 2. It shall be the duty of the said supervisors within fifteen days after their election and every three years thereafter, to lay off and divide the public roads and highways in said township into sections not exceeding one-half mile in length, which they shall number, and enter and describe in a book by them for that purpose to be kept, to be called the road book of Thornbury township; they shall also distinctly specify therein what they may deem necessary for the improvement, and keeping in repair of the said public roads and highways; and when the supervisors shall have so laid off the said roads aforesaid, they shall within three days thereafter give at least ten days' notice by at least six handbills put up in the most public places in the said township, designating the time and place for the taxable inhabitants of said township to meet, at which time and place it shall be the duty of the said supervisors to attend and let out on contract to the lowest and best bidder, the said roads as described and laid off into sections, one section at a time until they are all disposed of, to be kept in repair for the term of three years, according to the terms specified by the supervisors as aforesaid: *Provided*, That if any section or sections should not be then let on account of no bid satisfactory to the said supervisors having been made for the same, it shall be lawful for the said supervisors to cause the same to be repaired, either by private contract or otherwise, as they shall deem expedient: *Provided also*, That the said supervisors shall not be directly or indirectly interested in taking any section so let out as aforesaid.

To divide roads into sections and let repairs of.

Proviso.

Proviso.

SECTION 3. That for the purpose of opening, making and keeping in repair any new road which has been laid out, or which may hereafter be laid out in the said township, it shall be lawful for the said supervisors to lay out the said new roads into sections, to be made, opened and kept in repair by contract or otherwise, and for the same term, and in the same manner in every respect as is provided in the foregoing section of the act, for the keeping in repair of the roads in said township already laid out and opened.

New roads, how opened, &c.

SECTION 4. That any person or persons purchasing or contracting for a section or sections of the said roads as aforesaid, shall write his or their names respectively in the supervisors book opposite the section or sections so purchased or contracted for, and also the amount of the purchase or contract price, and if required by the supervisors, shall give satisfactory security to said supervisors conditioned for the faithful performance of his or their part of said contract; and should any person or persons neglect or refuse to make, open or keep in good repair, a section or sections so purchased or contracted for, upon complaint being made to the supervisors or either of them, it shall be the duty of the said supervisors, if they believe the complaint well founded, to give notice thereof to the party or parties complained of, to make, open or put in good repair, his or their section or sections of road according to the terms of the contract within six days thereafter; and if he or they shall refuse or neglect to comply with the requirements of said notice until the expiration of

Mode of effecting contracts.

Contractors to give security if required

Duties of supervisors on neglect of contractors to open or repair sections.

the said six days, it shall be the duty of the said supervisors to have the said section or sections made, opened or put in good repair according to the terms of the said contract, and the costs of making, opening or repairing the same shall be recoverable by the supervisors from such person or persons neglecting or refusing, or of their sureties, as other debts of equal amount are now recoverable by law, with costs of suit.

Cases of removal
from township or
death of contrac-
tors.

SECTION 5. That it shall be lawful for any purchaser or purchasers, contractor or contractors who are about to remove out of said township, to dispose of the unexpired time of such purchase or contract with the consent of said supervisors first to be had to such disposal, and the person or persons to whom such contract or contracts shall be disposed of, shall enter his or their name in the supervisors book as aforesaid, and shall, if required, give the security provided for in the third section of this act, and be liable to the same penalty for neglect or refusal to make, open or keep in repair such section or sections as heretofore provided in case of a contractor or purchaser; and in case of the death of any contractor, or of his removal from the said township without disposing of such contract as aforesaid, it shall be the duty of the said supervisors to sell the unexpired term of such purchase or contract at public sale or private sale, or cause the said section or sections to be repaired otherwise in the manner and form hereinbefore provided for the making, opening and keeping in repair of the roads in the said township.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 503.

An Act

Authorizing the commissioners of the county of Schuylkill to receive the returns of Charles Smith, collector of road and school taxes for the borough of Port Carbon, and Edward Brennan, collector of road tax for the township of Foster, in the county of Schuylkill, for the year one thousand eight hundred and seventy-two.

WHEREAS, Charles Smith, collector of road and school taxes for the borough of Port Carbon, and Edward Brennan collector of road taxes for the township of Foster, in the county of Schuylkill, for the year one thousand eight hundred and seventy-two, could not make their returns within the time specified by law; therefore,

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the commissioners of the county of Schuylkill to receive the returns of said collectors of the respective taxes within sixty days from and after the passage of this act.

APPROVED—The 1st day of April, 1873.

J. F. HARTRANFT.

No. 504.

An Act

Appointing commissioners to lay out a state road, from the borough of Marysville, to a point at or near the barn of Nathan Colyer, in the township of Penn, county of Perry, and declaring in what manner the expense of opening and keeping the same in repair shall be paid, and regulating the assessment of damages.

SECTION 1. *Be it enacted, &c.,* That James B. Hackett, Esquire, Samuel Shull and George Finicle, are hereby appointed commissioners to lay out a state road, from a certain point on the public road leading from the borough of Marysville to Hartman's mill, in Rye township, in the county of Perry, and to extend to a point at or near the barn of Nathan Colyer, in the township of Penn, in the same county, on and along the route recently examined and approved by the engineers of the Pennsylvania Railroad Company, and prominent citizens of the said township of Penn; the object of this act being to avoid the dangers arising from the proximity of the present county road, between the points aforesaid, to the said railroad, and to locate the new road at safe and secure distances from said railroad.

SECTION 2. That the said commissioners, before entering upon the duties of their office, shall be severally sworn or affirmed, and shall also execute a bond, with at least one sufficient surety, to the commonwealth, for the use of all parties in interest, in such penal sum as may be directed by the president judge of the court of quarter sessions of the said county of Perry, conditioned for the honest and faithful discharge of the duties of their appointment, and the application of all moneys that may be received by them; the said bond and surety, after the approval thereof by the judge aforesaid, shall be filed among the records of the said court.

SECTION 3. That the said commissioners in the performance of their duties shall have authority to employ a competent surveyor and the necessary assistants, for locating and making the said road; they shall also fix the width of the said road.

SECTION 4. That when said road shall have been surveyed and located it shall be the duty of the said commissioners to make a draft of the same, which shall be filed in the court of quarter sessions of the said county of Perry; and it shall be the duty of the clerk of the said court to enter the same of record in the proper road docket; and when so filed the said draft or the record thereof shall be legal evidence in all things relating to the same; and the said road shall from thence be taken and deemed a public road, and shall be opened as hereinafter provided, and be then afterwards kept in good repair by the proper township and municipal authorities the same as other public roads are maintained by law.

Commissioners.

Route.

Commissioners to be sworn and give bond.

May employ surveyor and assistants.

To file a draft in the quarter sessions of Perry county.

Commissioners
duties.

SECTION 5. That it shall be the duty of the supervisors of Penn township, and the authorities of the said borough of Marysville, upon receiving notice under the certificate of the clerk of the court of quarter sessions of said county, that the said road has been located, and the draft thereof filed by the said commissioners, forthwith to commence to open and construct the said road on the location fixed, and to the width prescribed in their respective districts, and complete the same so that it may be in good and passable condition within one year from the date of said notice, to the satisfaction of the said commissioners, whose certificate to the court of quarter sessions of said county shall be deemed the evidence thereof; and the neglect and failure of either the said supervisors or borough authorities to perform their said duties as herein provided, shall be taken and considered a misdemeanor subject to indictment in the aforesaid court of quarter sessions, and punishable by fine and imprisonment, or either or both at the discretion of the court.

Expenses, how de-
frayed.

SECTION 6. That the expense of opening the said road shall be born and defrayed, as follows: The Pennsylvania Railroad Company shall pay three-fifths thereof, the township of Penn one-fifth, the township of Rye one-tenth, and the borough of Marysville one tenth: *Provided*, That the whole expense thereof shall not exceed the sum of six thousand dollars.

Commissioners to
estimate cost, &c.

SECTION 7. That the said commissioners, on the completion of the said road, shall meet, and estimate and determine the whole cost and expense of the construction of the said road, and the amount due by each of the said districts, and shall finally settle, audit and adjust the same, and file their report in the court of quarter sessions aforesaid, which report shall be final, and a transcript thereof may be taken and filed as a judgment in the court of common pleas of said county, against any or either of the said districts, and the amount due be collected by execution the same as in other cases of debts of townships in the name of the said commissioners for the proper use.

Vacancies, how
filled.

SECTION 8. That in case of the death, or resignation or neglect to act of either of the said named commissioners, the court of quarter sessions aforesaid, shall appoint a person or persons to supply the vacancy, who shall in like manner be sworn or affirmed, and execute the bond required in the second section of this act.

Damages

SECTION 9. That it shall be lawful for said commissioners in all cases where they cannot procure releases of damages sustained by any person or persons owning lands through which said road shall be located, to appraise any damages which may be sustained by any such person or persons, and make report thereof to the court of quarter sessions of the said county of Perry, which report shall be final and conclusive, and the said damages shall be paid by the said county: *Provided*, That in assessing said damages, the commissioners shall take into account the advantages as well as the disadvantages accruing to any lands on account of the construction of said road.

SECTION 10. That the said commissioners shall severally Compensation. secure from the county treasury, the sum of two dollars and fifty cents for each day they are actually engaged in the duties of their appointment, and the surveyor the sum of five dollars per day, and their assistants two dollars per day, for each day by them necessarily spent, to be paid by the county commissioners on the certificate of the commissioners, any two of whom shall constitute a quorum to do anything authorized to be done by this act.

APPROVED—The 1st day of April, 1873.

J. F. HARTRANFT.

No. 505.

An Act

To amend the road laws of Potter county, providing for the election of three supervisors in each township, appointment of path-masters and defining duties of the same.

SECTION 1. *Be it enacted, &c.,* That at the next township election after the passage of this act, the qualified voters of Election of supervisors. each township in the county of Potter, shall elect three supervisors of roads and bridges, instead of two, as heretofore, one to serve one year, one to serve two years, and one to serve three years from the expiration of the term of the present supervisors, and annually thereafter to elect one supervisor to serve for three years; the said supervisors shall perform the several duties, including that of overseer of the poor, Duties. and be subject to all the responsibilities and liable to all the penalties heretofore imposed upon the supervisors of roads in said county, by existing laws; and two of their number shall Quorum. constitute a quorum for the transaction of business.

SECTION 2. That at the first annual meeting of the said supervisors to levy the road tax, and as often thereafter as it may be necessary, they shall proceed to divide their respective townships into convenient districts for road work, and cause the town clerk to enter the said divisions on the town book; they shall then proceed to appoint a path-master for each of said road districts, who shall be a qualified voter therein, and shall immediately thereafter deliver to each of said path-masters, a duplicate containing the names of all the taxable in his district, with the amount of road tax assessed against each; and it shall be the duty of the said path-masters to cause the said road tax to be faithfully worked out on the roads, in their respective districts, as soon thereafter as practicable, and in all cases previous to the first day of August, in each and every year; each taxable to have five days' notice of the time and place at which said tax is to be

To district township and appoint path-masters.

To deliver duplicates to path-masters.

Duties of path-masters.

worked out ; and it shall be the duty of the said path-masters, on or before the tenth day of August, in each year, to make return, under oath, to said supervisors, of the amount of road tax worked out by each of the persons on his duplicate, and of any person or persons who have failed to work out the whole or any part of his tax, after due notice, with the amount thereof, and in case no notice could be given to state the reason therefor ; and it shall then be the duty of the said supervisors to make a duplicate of said unworked road tax, and place the same, with their warrant, in the hands of the constable of the township, whose duty it shall be to collect the same as required by existing laws ; and all unseated road taxes shall be returned by the said supervisors to the county commissioners for collection the same as heretofore.

Unworked taxes to be collected by constable.

Unseated taxes.

Compensation of path-masters.

Penalty for refusal to serve, &c.

Proviso.

Repealing clause.

SECTION 3. The said path-masters shall be allowed the same daily pay, for the time necessarily spent in the performance of their duties, as is allowed to those who work out their taxes ; and in case any path-master so appointed, shall refuse to serve or perform any of the duties enjoined upon him, he shall pay a fine of ten dollars into the road fund of the proper township, to be sued for in the name of the township and collected as debts of like amount are by law recoverable, and the supervisors shall appoint another person in his place : *Provided*, No person shall be obliged to serve as path-master for more than two years in succession.

SECTION 4. That all acts and parts of acts inconsistent herewith are hereby repealed, so far as they relate to the county of Potter.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 506.

An Act

To vacate Hamilton street, between Thirtieth street and the river Schuylkill, in the Twenty-fourth ward of the city of Philadelphia.

WHEREAS, Hamilton street, west of Thirtieth street, in the city of Philadelphia, has been heretofore vacated, and the width of the said Hamilton street extending east of Thirtieth street to the river Schuylkill has been reduced to thirty feet, and the same is of no advantage to the public :

And whereas, The title to the ground on both sides of the said Hamilton street between Thirtieth street and the river Schuylkill is vested in the same owner ; therefore,

SECTION 1. *Be it enacted, &c.*, That upon petition of the owner or owners, or any of them, of the land bounding Hamilton street, north and south between Thirtieth street and the

river Schuylkill, in the Twenty-fourth ward of the city of Philadelphia, to the court of quarter sessions of Philadelphia, praying said court for a jury of view to report upon the propriety of vacating Hamilton street between Thirtieth street and the river Schuylkill, said court shall appoint a jury of view as provided under existing laws, and said jury shall examine and report to said court upon said proposed vacation; and if said report shall be in favor of said vacation the jury shall also report what amount, if any, should be paid to the city of Philadelphia, by the person or persons or corporation owning the land bounding said street north and south, and upon confirmation of the report in favor of vacating said street, by said court, the said street shall be vacated, and the portion so vacated shall be vested in fee simple in the owner or owners of the land bounding said street on the north and south.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 507.

An Act

Authorizing the county commissioners of Allegheny county to select four morning newspapers for official county advertising.

SECTION 1. *Be it enacted, &c.*, That the county commissioners of Allegheny county are hereby authorized and required, during the first week in the month of April of the current year, to designate one morning newspaper published in said county, in addition to those already selected, in which all advertising for county purposes shall be done at customary rates, and annually hereafter, in the month of January, to designate four morning newspapers, one of which shall be in the German language, to do such advertising instead of three as prescribed in section tenth of the act of April eighth, one thousand eight hundred and sixty-two.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 508.

An Act

To authorize the opening of Second avenue, of the city of Pittsburg.

Council may provide for opening.

SECTION 1. *Be it enacted, &c.*, That the select and common councils of the city of Pittsburg be and are hereby authorized to provide by ordinance for opening of Second avenue, in said city, from the Birmingham bridge to the railroad crossing, near Glenwood station, as located by the engineers of said city.

Portion of act of April 1, 1868, repealed as to.

SECTION 2. That section eleven of the act of assembly, passed the first day of April, Anno Domini one thousand eight hundred and sixty-eight, entitled "An Act supplementary to the acts incorporating the city of Pittsburg," be and the same is hereby repealed, so far as it relates to Second avenue between the limits aforesaid.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 509.

A Supplement

To an act relating to the fees, salaries and duties of certain county officers in Allegheny county, approved April sixth, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That so much of the act to which this is a supplement, as requires the county recorder to pay into the county treasury, fees collected for the granting of search certificates with the seal attached, be and the same is hereby repealed, and hereafter it shall be lawful for the said county recorder to retain said fees as part of the emoluments of his office in addition to the salary now allowed by law.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 510.

A Supplement

To an act, entitled "An Act to open and grade Mica street, in the Seventh ward of the city of Scranton," approved the sixth day of March, Anno Domini one thousand eight hundred and seventy-three.

SECTION 1. *Be it enacted, &c.*, That the judges of the courts of quarter sessions of the county of Luzerne, are hereby authorized and required to appoint, as soon as possible after the passage of this act, three suitable persons to assess and adjust any damages that may accrue in carrying out the provisions of the act of assembly, entitled "An Act to open and grade Mica street, in the Seventh ward of the city of Scranton," approved the sixth day of March, Anno Domini one thousand eight hundred and seventy-three, who shall make report of the same to the said court at the next term of the said court after their said appointment, as reports are now made in similar cases, and after the confirmation of the report by the said court, the damages so assessed shall be paid by the city of Scranton.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 511.

An Act

Extending the time for filing liens for grading, paving and curbing streets, and for constructing public sewers, in the city of Pittsburg.

SECTION 1. *Be it enacted, &c.*, That the time for filing liens for assessments for grading, paving and curbing streets, and constructing public sewers in the districts consolidated with the city of Pittsburg, under provisions of an act of the general assembly, entitled "A supplement to the several acts incorporating the city of Pittsburg, enlarging its boundaries," approved the second day of April, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby extended until six months after the confirmation of the report of the commission appointed to adjust the separate indebtedness of the several districts consolidated in accordance with the provisions of said act.

Time for filing
liens for grading,
&c., extended.

SECTION 2. That the time for filing liens for the assessment made, or to be made, for the cost of construction of a public sewer in Ann and Stephenson streets, in said city, con-

Time for filing
liens for construc-
tion of certain sew-
er extended.

structed in accordance with the provisions of an act of assembly, approved sixth January, one thousand eight hundred and sixty-four, entitled "An Act concerning streets and sewers in the city of Pittsburg," and supplements thereto, is hereby extended until the first day of July, one thousand eight hundred and seventy-three.

Assessment and
collection of ex-
penses incurred in
opening streets, &c.

SECTION 3. That the cost of engineering, and all other expenses incurred by the city in the opening, grading, paving and curbing of streets, or in the construction of sewers, shall be assessed and collected as part of the cost of such improvements.

Repeal.

SECTION 4. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 512.

An Act

Declaring Amis creek, in the county of Centre, a public highway.

SECTION 1. *Be it enacted, &c.*, That Amis creek, in the township of Taylor, in the county of Centre, and state of Pennsylvania, from Mount Pleasant, on the Tyrone and Clearfield railroad, to the saw-mill of John Copenhaver, in said township, be and the same is hereby declared a public highway for the passage of logs; and it may be lawful for persons desirous of using the navigation of said creek to remove, at their own expense, all natural and artificial obstructions from the bed or channel of said stream, excepting dams for mills and other water works, and to erect such slopes or locks, and to keep the same in repair as may be necessary for the passage of logs: *Provided*, That all damages done to private property by floating logs in that part of said stream hereby declared a public highway, shall be paid by the person or persons floating logs in said stream.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 513.

A Supplement

To an act, entitled "An Act to open Leithgow street from Berks to Hackley streets, in the Nineteenth ward of the city of Philadelphia," approved March nineteenth, eighteen hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the width of Leithgow street, from Berks to Hackley streets, shall be thirty feet, and the easterly side of said Leithgow street shall begin at a point on Berks street, ninety feet west from the west side of Fourth street, and run thence northwardly parallel with said Fourth street to the south-east side of Hackley street.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 514.

An Act

To explain the intent and meaning of the act of the general assembly, approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act for the more convenient dispatch of the public business in the courts of the city of Philadelphia."

SECTION 1. *Be it enacted, &c.*, That the true intent and meaning of that portion of the act of the general assembly, approved the second day of April, one thousand eight hundred and sixty-nine, entitled "An Act for the more convenient dispatch of the public business in the courts of the city of Philadelphia" which is in the following words, to wit: "And in addition thereto the said commissioners shall have power to take acknowledgments of deeds and other instruments in writing to be recorded within this Commonwealth," was and is that the said commissioners shall have power to take acknowledgments of deeds, mortgages, assignments and all other instruments to be recorded within this Commonwealth, and also make the separate examination and take the separate declaration of any married woman with regard to such deed, mortgage, assignment or other instrument.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 515.

A Supplement

To an act to promote the business of lumbering in the counties of Clinton, Centre, Clearfield and Elk, approved the fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

To include transportation of tan bark.

SECTION 1. *Be it enacted, &c.*, That in addition to the business of lumbering referred to and provided for in said act, the same shall be taken to provide for the transportation of all kinds of bark used for tanning purposes, the same as if tan bark had been included with logs, timber, lumber, shingles and other property in the provisions of said act.

Extended to Cameron county.

SECTION 2. That the provisions of the act to which this is a supplement, and this act, are hereby extended to the county of Cameron.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 516.

A Supplement

To an act relating to the election of assessors in Clearfield county.

SECTION 1. *Be it enacted, &c.*, That the act regulating the election of assessors and assistant assessors, in Clearfield county, approved the fourth day of May, Anno Domini one thousand eight hundred and seventy-one, be so amended as to authorize the qualified voters of each borough and township in said county, to elect, respectively, two assistant assessors at the next general election, and triennially thereafter, to serve for one year; and should any vacancy occur by death, resignation, removal or otherwise, it shall be the duty of the county commissioners to appoint proper persons to fill the unexpired term of such officer or officers; and it is hereby made the duty of the sheriff of said county to give notice of said election in his proclamation.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 517.

A Supplement

To an act, entitled "An Act providing for the protection of sheep and the taxing of dogs, in the township of Wyalusing, Bradford county," extending the provisions thereof to Smithfield and Athens townships, in said county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act providing for the protection of sheep and the taxing of dogs in the township of Wyalusing, Bradford county," approved April third, one thousand eight hundred and seventy-two, be and the same is hereby extended to the townships of Smithfield and Athens, in said county of Bradford.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 518.

An Act

To authorize the school directors of Bellevernon borough, Fayette county, to borrow money for the erection of a school house, and to issue bonds therefor.

SECTION 1. *Be it enacted, &c.*, That the school directors of Bellevernon borough, Fayette county, be authorized to borrow such sum of money as they may deem proper for the purpose, and to be expended for the erection of a school house in and for said borough, and to issue bonds therefor bearing any rate of interest not exceeding eight (8) per centum: *Provided*, That before exercising the privileges granted by this act the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 519.

An Act

Supplementary to an act to incorporate the trustees of the Sons of Temperance Hall Association of the district of Southwark.

SECTION 1. *Be it enacted, &c.*, That so much of the third section of the act entitled "An Act to incorporate the trustees of the Sons of Temperance Hall Association of the district of Southwark," approved the third day of May, Anno Domini one thousand eight hundred and fifty-two, as provides for a board of fifteen trustees, be and is hereby repealed, and it is hereby enacted that from and after the first Thursday succeeding the second Monday of May next, the government of the said corporation, and the management and disposition of its affairs, shall be vested in a board of nine trustees, all of whom shall be members of the order of the Sons of Temperance of Pennsylvania, and that in all other respects the said act of incorporation, approved the third day of May, Anno Domini one thousand eight hundred and fifty-two, shall be and remain in full force as is therein provided.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 520.

An Act

To authorize the Masonic Hall Association of Harrisburg to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted, &c.*, That the Masonic Hall Association of Harrisburg, a corporation created by the court of Dauphin county, be and they are hereby authorized to increase their capital stock fifty per cent., and issue bonds to an amount not exceeding one hundred and fifty thousand dollars, bearing seven per cent. interest per annum, and secure the payment of the same by a mortgage upon their property and franchises of the said association, which bonds shall be signed by the president, or vice-president, secretary and treasurer, and sealed with the seal of the corporation.

APPROVED—The 2d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 521.

A Further Supplement

To the act incorporating the city of Philadelphia, providing for the appointment of commissioners to open Wayne street in the Twenty-second ward, and Erie avenue in the Twenty-eighth ward.

WHEREAS, The legislature passed an act, approved the sixteenth day of December, Anno Domini one thousand eight hundred and seventy, authorizing the appointment of three citizens, by the court of quarter sessions, to lay out and extend and open Wayne, Seventeenth, Pulaski and Erie avenues, in the city of Philadelphia; Wayne from Berks street, near the Germantown and Norristown railroad, to Pulaski street:

And whereas, The said law became inoperative on account of the court failing to appoint the jury within the time specified in the act:

And whereas, It is important to have the said street or road opened as a thoroughfare to Broad street; therefore,

SECTION 1. *Be it enacted, &c.*, That the judges of the court of quarter sessions of the city of Philadelphia, are hereby directed to appoint three citizens of the said city as a jury of view, who shall report for or against a continuance of said Wayne street, and assess any damages that may occur to the owners of property through which the said Wayne street shall run, from Berkley street to Pulaski avenue; and the said jury may locate the extension of Wayne street over the line of the Central passenger railway; and they shall make the said roadway of such width as they may think the public necessities may require, not exceeding sixty feet wide; and when the court of quarter sessions shall confirm the report and award of the jury, the superintendents of highways of Twenty-second ward, and the chief commissioners of highways of the city of Philadelphia, shall contract with a proper person to grade, macadamize or pave with rubble pavement the said Wayne street, Pulaski and Erie avenue, to Broad street, and Seventeenth street from Erie avenue to Tioga street, and collect the cost of the same from the owners of property abutting on the line of said streets: *Provided*, That the consent of the owners of the property affected by the provisions of this act be first had and obtained.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 522

An Act

To renew and extend the charter of the Greene County Agricultural and Manufacturing Society, for a period of twenty years.

SECTION 1. *Be it enacted, &c.,* That so much of the first section of the act entitled "An Act to incorporate the Greene County Agricultural and Manufacturing Society, and authorizing the sheriff of Washington county to employ a jail keeper," approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-three, as limits the existence of the society thereby incorporated to a period of twenty years, is hereby repealed, and the said society is hereby renewed, extended and continued by its first corporate name as a body politic and corporate, with all the powers and privileges conferred upon it by its original act of incorporation, so far as the same have not been repealed, for a period of twenty years from and after the passage of this act.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 523.

A Further Supplement

To an act, entitled "An Act to incorporate the Young Men's Christian Association of Philadelphia," approved May second, one thousand eight hundred and fifty-seven, restraining the power of said association over its real estate.

Power to mortgage
their real estate
abridged.

SECTION 1. *Be it enacted, &c.,* That hereafter the said association shall have no power or authority to mortgage their real estate at the southeast corner of Fifteenth and Chestnut streets, in the city of Philadelphia, without the consent of the trustees of the building fund of the Young Men's Christian Association of Philadelphia; and upon the dissolution of said corporation the power of the said association to mortgage the same shall forever cease, except for the purpose of rebuilding in case of loss by fire or other casualty.

Sale or incum-
brance, how au-
thorized.

SECTION 2. That hereafter, in case the said real estate of the said Young Men's Christian Association of Philadelphia, or any part thereof, shall be sold or encumbered, such sale or encumbrance shall only be authorized by a resolution in writing, which shall be read in full, and adopted at two (2)

consecutive stated meetings of the board of managers of the said association, by the concurrence of three-fourths of the members thereof present at each of said meetings; at the second meeting the yeas and nays shall be entered upon the journal; the said resolution shall then be adopted at the next stated business meeting of the association, by the concurrence of three-fourths of the members present: *Provided however*, That the said property or the proceeds thereof shall never be diverted from the objects of the said association.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 524.

An Act

To incorporate the trustees of the Building Fund of the Young Men's Christian Association of Philadelphia, and defining their powers and duties.

WHEREAS, The Young Men's Christian Association of Philadelphia have purchased certain ground at the southeast corner of Fifteenth and Chestnut streets, in the city of Philadelphia, and are about to erect thereon a building suitable for their wants and purposes; now therefore,

SECTION 1. *Be it enacted, &c.*, That the following twenty-four persons: Hon. William Strong, Hon. William A. Porter, George H. Stuart, Jay Cooke, William G. Moorhead, Hon. Daniel M. Fox, William Bucknell, Matthew Baird, Chas. Santee, Henry Lewis, Samuel Coffin, Henry H. Houston, Charles Wheeler, Edward H. Worne, Alexander Whilldin, Samuel R. Shipley, George C. Thomas, Henry Disston, James Long, William Adamson, Thomas MacKellar, John Wanamaker, George W. Mears and John E. Graeff, and their successors, are hereby incorporated as a body politic in law, under the name, style and title of "The Trustees of the Building Fund of the Young Men's Christian Association of Philadelphia."

SECTION 2. The said corporation shall have full power and authority to solicit and receive contributions of money for the purpose of enabling the said Young Men's Christian Association to erect a building suitable to the wants and purposes of the said association, on the said location; and the said corporation shall apply all moneys so received to pay for said ground, and to erect said building according to contracts entered into, and plans and specifications adopted by the board of managers of the said Young Men's Christian Association; and all subscriptions heretofore made, or hereafter to be made for said ground and building, shall be payable to said trustees.

Preamble.

Corporators.

Title.

May receive contributions towards erection of buildings.

How to be applied.

Subscriptions payable to trustees.

To elect officers, fill vacancies, &c.

SECTION 3. The said corporation shall elect their own officers, make rules for their own government, and shall fill vacancies in their number by electing one out of three persons nominated for each vacancy, by the said board of managers of the Young Men's Christian Association; and the said trustees and their successors shall not be individually liable for the acts or default of each other, but only each for his own acts and default.

How surplus contributions disposed of.

SECTION 4. Whenever the purchase money of said ground, and all debts for work done and materials furnished, in and about the erection and construction of the said building, and all encumbrances whatsoever upon the said ground and buildings, are fully paid off and satisfied, any balance in the hands of the said corporation shall be paid to the Young Men's Christian Association of Philadelphia, and upon the payment of such balance thereupon the said corporation may be dissolved.

Dissolution of corporation.

When act to take effect.

SECTION 5. This act shall take effect upon its acceptance by the said Young Men's Christian Association.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 525.

A Further Supplement

To an act to incorporate the Lancaster and Reading Narrow Gauge Railroad Company, approved May tenth, one thousand eight hundred and seventy-one.

May issue bonds.

SECTION 1. *Be it enacted, &c.,* That the company is hereby authorized to issue income bonds not exceeding the rate of seven per centum per annum, equal in amount to the capital stock authorized to be issued by the act incorporating the said company and its supplement; the said income bonds to be a lien upon and to be paid out of the surplus earnings of the said company after the payment of the interest on the mortgage bonds of the said company, and all expenses of operating and repairing the roads of the said company.

Corporations may subscribe to stock, purchase bonds, &c

SECTION 2. That any and all corporations and associations, through their proper authorities, are hereby authorized to subscribe to the capital stock of the said company, to purchase the bonds of the said company, and to lend money to the said company upon such terms and conditions as may be agreed upon.

May occupy streets and alleys in Lancaster city.

SECTION 3. That the company is hereby authorized to use, pass over and occupy such streets and alleys in the city of Lancaster as may be required in the construction of its roads, and their branches and connections, without any other au-

thority than is herein granted, and to connect with any railroad now constructed or hereafter to be constructed.

SECTION 4. That the said company is hereby authorized to construct railroads from the city of Lancaster, to or near any point within the county of Lancaster, and occupy and cross with all its roads, any street, public or private road or turnpike road at grade; and that the stock and bonds to be issued on each of said roads, shall not exceed the amount authorized to be issued upon each section by the supplement to the charter, approved March twenty-eighth, one thousand eight hundred and seventy-two.

SECTION 5. That the board of directors of said company be and the same are hereby authorized to change the time of the annual meeting of the stockholders of said company, and the election of the officers thereof, from the day now fixed by the charter of said company, to such other day as will, in the judgment of the board, be most convenient.

SECTION 6. That all subscriptions to the capital stock of the said company heretofore made, or hereafter to be made, shall be valid and binding without the pre-payment of any sum, and the said subscriptions may be collected by process of law as they become due and payable.

SECTION 7. That the said company is hereby authorized and empowered to purchase, lease and acquire lands and rights appurtenant thereto, situate in the county of Lancaster, from any corporation or corporations, or individuals holding or owning the same, upon such terms and conditions as may be agreed upon; and any corporation or corporations holding or owning such lands and appurtenances, is and are hereby authorized to sell, lease and dispose of the same to the said company.

SECTION 8. That the board of directors of said company are hereby authorized and empowered to regulate and establish the tolls and motive power charges to be received by said company when the cars and motive power used thereon are furnished and owned by others.

SECTION 9. That to enable the said company to construct its railroads, it is hereby authorized to take and appropriate for the same any real estate however owned and occupied, full compensation being made to the owner or owners thereof as provided by law; and the time for the commencement of any of said railroads is extended for the period of three years from and after the passage of this act.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

Connect with other roads.

Construct railroads.

Cross streets, &c.

Stock and bonds limited.

May change time of annual meeting and election.

Subscriptions.

Power to purchase and lease lands.

Tolls and motive power charges.

May take real estate necessary to construction of roads.

Time for commencement extended.

No. 526.

A Supplement

To the act incorporating the Easton Gas Company, approved March fourteenth, one thousand eight hundred and fifty, limiting the contingent fund.

SECTION 1. *Be it enacted, &c.,* That the Easton Gas Company shall be and are hereby authorized to lay up a contingent fund not exceeding seventy-five thousand dollars, the interest of which may be used from time to time in extension of street mains, repair or re-construction of building, or otherwise, at the discretion of the board, or divided among the stockholders in addition to dividends on capital stock.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 527.

A Further Supplement

To an act, entitled "An Act relative to the fees, salaries and duties of certain county officers in Allegheny county," approved April sixth, Anno Domini one thousand eight hundred and seventy one, relating to the salaries of the sheriff and his deputies, and expense of the sheriff's office.

Fees for certain services.

SECTION *Be it enacted, &c.,* That the fees to be charged and collected by the sheriff of Allegheny county, for the use of the county, for drawing jurors for the several courts, advertising personal property and real estate, and as poundage on all moneys collected by sale or otherwise, shall be the same as they were before the passage of the act to which this is a supplement.

\$2.50 to be charged on interpleaders and appraisements

SECTION 2. That in cases of interpleaders and appraisements, the sheriff shall charge and receive, for the use of the county, a fee of two dollars and fifty cents in each case.

Salary for solicitor of sheriff's office.

SECTION 3. That the county controller and county commissioners shall provide an adequate salary for the solicitor of the sheriff's office of Allegheny county, to be paid out of the receipts of the office, as the salaries and expenses are now paid under existing laws.

How salary and expenses of sheriff's clerks, &c., to be paid.

SECTION 4. That the salaries of the sheriff of Allegheny county, and his clerks and deputies, as now fixed by law, shall be paid out of the treasury of said county as other debts and

liabilities are now payable; the expenses of the office, including the traveling expenses of the sheriff and his deputies, after being ascertained, by oath of the sheriff, shall be paid in like manner; and all laws and parts of laws inconsistent herewith are hereby repealed.

APPROVED—The 3d day of April, A. D. 1873.

J. F. PARTRANFT.

No. 528.

An Act

To authorize the burgess and council of the borough of Blossburg, in the county of Tioga, to purchase certain lots of land, in the said borough, to be occupied by the Tioga Railroad Company for the purposes of their business, and to issue bonds for that purpose.

SECTION 1. *Be it enacted, &c.*, That the burgess and council of the borough of Blossburg are hereby authorized to purchase lots nos. one, two, three, four, five, ten, eleven, twelve, thirteen and fourteen, in block no. twenty-two, in the said borough, for the purpose of leasing or granting the same to the said Tioga Railroad Company, to be occupied by them in their business, for buildings, et cetera, so long as needed for said business; and to enable the said burgess and council, and their successors in office, to purchase and pay for said lots of land, they are hereby authorized and required to issue the bonds of said corporation for any sums necessary for said purpose, not exceeding six thousand dollars, payable in five years from the date of issue, with interest annually thereon, not exceeding seven per cent. per annum: *Provided*, That no bond shall be for a less sum than one hundred dollars.

Authorized to purchase lots.

To issue bonds.

SECTION 2. That the said burgess and council shall have authority, from time to time, to raise by taxation, in addition to the taxes already authorized by law to be levied and collected, such sum or sums of money as may be necessary to pay off the principal and interest of said bonds, or certificates of indebtedness: *Provided*, Such taxes do not exceed ten mills in any one year.

May levy tax to pay bonds

SECTION 3. That the said burgess, and council aforesaid, are further authorized and empowered, if they shall deem it expedient so to do, in any year, in lieu of the tax provided by the preceding section of this act, to appropriate so much of the tax already authorized by law, as shall be deemed necessary for the purpose designated by section first of this act.

May appropriate taxes already authorized.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 529.

A Further Supplement

To the act approved March eleventh, one thousand eight hundred and seventy-one, entitled "An Act to incorporate the Bendersville Railroad Company," authorizing said company to merge its stock, franchises, property and railroad, with and into other companies, and to lease its stock, franchises, property and road, or to become the lessee thereof from other companies.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for said Bendersville Railroad Company to unite, consolidate and merge its stock, franchises, property and road with or into other companies, and to lease such franchises, property and road to, or to become the lessee thereof, from any other company, which by special or general law of Pennsylvania, or otherwise, may be authorized to construct a railroad or railroads which, directly or by intervening railroads, may connect with its railroad, although such railroads may be unconstructed. Such merger shall be effected in accordance with, and in conformity to the provisions of the act approved March twenty-fourth, one thousand eight hundred and sixty-five, entitled "An Act supplementary to an act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the time for the completion of the railroads so merged shall be that of the company, party thereto, having the longest time for the completion of its railroad.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 530.

A Further Supplement

To an act to incorporate the East Broad Top Railroad and Coal Company, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty-six, authorizing an increase of capital, the borrowing of money, the construction of branch roads, and giving power to change the number of directors.

SECTION 1. *Be it enacted, &c.*, That the East Broad Top Railroad and Coal Company, be and they are hereby authorized to increase their capital stock, by issuing ten thousand additional shares of the par value of fifty dollars each, and to borrow money from time to time, and issue their bonds there-

May increase capital stock.

for, secured by mortgage on their railroad and franchises, Borrow money and issue bonds. bearing interest at the rate of seven per centum per annum, and to dispose of said bonds at less than their par value: *Provided*, That the amount of said bonds outstanding shall not at any one time exceed one-half of the paid up capital stock of said company.

SECTION 2. That the said East Broad Top Railroad and Coal Company be and they are hereby authorized to construct one or more branch railroads, not exceeding fifty miles in length, and to connect with any other railroad or railroads or to cross the same at grade or otherwise. Construct branch roads.

SECTION 3. That the said East Broad Top Railroad and Coal Company shall have power to alter the number of their directors, from time to time, by a vote of their stockholders: Alter number of directors. *Provided*, That the whole number of their directors, including the president, shall not be greater than thirteen. Proviso.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 531.

An Act

Relative to the collection of borough tax, in the borough of Rochester, in the county of Beaver.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act it shall be lawful for the town council of the borough of Rochester, in the county of Beaver, by resolution thereof, to authorize the collection of the borough tax of said borough, in the manner hereinafter provided: The town council of the said borough shall place in the hands of the treasurer thereof a certified duplicate of the borough tax, and it shall be his duty to give at least one month's notice of the time and place at which he will attend, at least one day, for the purpose of receiving borough tax, and it shall be his duty to receive and receipt for all borough tax given him for three months after the date of said notice: *Provided*, That if any person on or before the expiration of two months after the date of said notice shall pay to the treasurer the amount of his or her tax, such person shall be entitled to a deduction of five per cent. on the amount thereof, and for the remaining month he shall make no abatement on the taxes received: *Provided also*, That any person who shall work out his or her tax under the direction of the street commissioner or committee of said borough, shall not be entitled to any deduction from the amount thereof. Duplicate to be placed in hands of treasurer. His duties. Abatement for prompt payment Proviso.

SECTION 2. In case the taxes are not all paid on or before the expiration of three months from the date of said notice, Collection of unpaid taxes, relative to.

the town council shall elect a collector who may or may not be the constable of said borough, have the duplicate placed in his hands and issue to him a warrant for the collection of the unpaid tax on said duplicate, and he shall proceed to collect the unpaid tax assessed therein with an addition of five per cent. on the amount thereof, in the manner heretofore provided by law; he shall be allowed such compensation as may be agreed upon, not exceeding five per cent. of the money collected by him, and in addition, in case of distress and sale of goods, he shall receive the same as are now allowed by law to constables for a levy and sale upon a writ of execution, which fees he shall retain out of the proceeds of such sales, after deducting the taxes and the addition of five per cent. thereon.

Collector to give
security.

SECTION 3. That no person shall be appointed collector of said borough tax, unless he shall give bond in such amount as shall be determined by the chief burgess of said borough, and with surety or sureties therein as shall be satisfactory to the said burgess, or a bond with mortgage of real estate sufficient to secure such amount.

Repeal.

SECTION 4. All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 532.

An Act

To provide for the disposition of bounty moneys raised by taxation in the township of Pine, Lycoming county.

WHEREAS, A large number of judgments have been obtained against the township of Pine, in Lycoming county, in reality for bounty claims though not distinguishable from ordinary debts; therefore,

SECTION 1. *Be it enacted, &c.,* That all moneys now or hereafter in the hands of the county treasurer, raised by bounty taxes on real estate in said township, shall be applied on judgments against said township, in the same manner as road taxes are applied by the provisions of the act of March fifteenth, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act to provide for the payment of the debts of Pine township, in Lycoming county."

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 533.

An Act

To regulate the compensation of certain county officers in the county of Dauphin.

SECTION 1. *Be it enacted, &c.*, That from and after the first day of January, Anno Domini one thousand eight hundred and seventy-three, the compensation of each of the county commissioners shall be twelve hundred dollars per annum, payable quarterly; and it shall be the duty of said commissioners to deliver the assessment and tax books, election papers, and attend all official visits to the various parts of the county without additional or extra compensation or mileage. County commissioners, \$1,200.

SECTION 2. That the auditors of said county shall receive the sum of one hundred dollars for the services they are required to perform, the same to be paid as now directed by law. Auditors, \$100.

SECTION 3. That the directors of the poor of said county shall receive for the services they are required to perform in the discharge of the duties of their office, the sum of three hundred dollars each per year, to be paid quarterly: *Provided however*, That if any one of the said directors shall be called on to render extra service, which service shall extend through an entire year, such director shall receive as additional compensation the sum of three hundred dollars. Directors of poor, \$300.

SECTION 4. That all laws or parts of laws, inconsistent herewith, be and the same are hereby repealed. Repealing clause

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 534.

An Act

To fix the term of office of town council for the borough of Shickshinny, Luzerne county.

SECTION 1. *Be it enacted, &c.*, That after the passage of this act the town council for the borough of Shickshinny, Luzerne county, shall be six, and the term of office three years; at the first borough election, after the passage of this act, there shall be elected two councilmen for the term of one year, two for two years, and two for three years, and thereafter there shall be two councilmen elected each and every year for a term of three years for said borough.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 535.

An Act

To provide for the opening, grading, paving and curbing of Kirkpatrick street.

SECTION 1. *Be it enacted, &c.*, That the select and common councils of the city of Pittsburg are hereby authorized and empowered by ordinance to open, grade, pave and curb Kirkpatrick street, from Wylie avenue to Arch street, in accordance with the plans and surveys of the said street, as filed and recorded in the city engineer's office, in the city of Pittsburg, and to refer the same to a board of viewers appointed for the city of Pittsburg, to view premises, appraise the damages and make assessments of benefit thereon; and all further proceedings for opening and grading, paving and curbing of said street shall be in accordance with and subject to the provisions of the act of assembly relating to the opening, grading, paving and curbing of streets, et cetera, in said city: *Provided however*, That so much of the eleventh section of the act of April first, one thousand eight hundred and sixty-eight, entitled "An Act supplementary to an act incorporating the city of Pittsburg," and of the twenty-sixth section of an act, entitled "An Act to provide for the improvement of Penn avenue, and other avenues and streets in the city of Pittsburg," approved second April, one thousand eight hundred and seventy, as prevents the councils of said city from opening, grading, paving and curbing of any street in the city without the written application of a majority in interest of property holders abutting thereon, shall not be applicable to Kirkpatrick street aforesaid.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 536.

A Further Supplement

To an act approved the sixth day of May, Anno Domini one thousand eight hundred and fifty-two, entitled "An Act to incorporate the Huntingdon and Broad Top Mountain Railroad and Coal Company," giving authority to issue further stock.

SECTION 1. *Be it enacted, &c.*, That the board of directors of the Huntingdon and Broad Top Mountain Railroad and

Coal Company be and they are hereby empowered to increase the common and preferred stock of the company to an amount not exceeding one million of dollars, in addition to the amount heretofore authorized.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 537.

An Act

To straighten and establish grades on Passayunk avenue from Twenty-fifth street to the river Schuylkill, in the Twenty-sixth ward of the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the chief commissioners of highways of the city of Philadelphia be and is hereby authorized and directed to straighten, curb and pave Passayunk avenue, between Twenty-fifth street and the river Schuylkill, in the Twenty-sixth ward of said city, in conformity with and parallel to existing lines as they are now established on said avenue east of Twenty-fifth street, and to direct the grades, curb and paving to be established upon the same when straightened and thrown open to public use: *Provided*, That before such avenue shall be straightened a jury of view shall be appointed by the court of quarter sessions of the city of Philadelphia, in accordance with existing laws, to determine and report to said court what damages, if any, should be paid to owners of property on said new line of said avenue; and all such damages are paid or security given for the same to be approved by said court; said court may amend or confirm said report when made, and may appoint a review if justice shall seem to require it; but any jury of view shall make report to said court within thirty days after the appointment and notice to parties in interest as required by law.

Chief commissioner of highways to straighten avenue.

Jury of view to be appointed.

Report.

SECTION 2. It shall be the duty of the chief commissioner of highway of the city of Philadelphia, immediately upon the passage hereof, to notify the owners of land through which said avenue will pass, that the same will be required for public use in thirty days from the date of said notice.

Notice to land owners.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 538.

An Act

To provide for the opening, grading and paving of Chestnut street, as it extends from Forty-second street to Fifty-sixth street, in the Twenty seventh ward in the city of Philadelphia, and for the laying of water pipe therein ; to provide for the grading, paving, laying of water pipe and conversion into a city street of Baltimore avenue, from Forty-second street to Cobb's creek, in the Twenty-seventh ward, of the city of Philadelphia.

Chestnut street
between certain
points, opened as
public highway.

Commissioners of
highways to have
same graded, &c.

What expenses
city liable for.

Owners to pay cost
of curbing and
paving.

Duty of chief en-
gineer of water de-
partment.

Contractors may
file liens.

Baltimore avenue
to be opened.

How damages as-
sessed and paid.

SECTION 1. *Be it enacted, &c.,* That Chestnut street as it extends from Forty-second street to Fifty-sixth street, in the Twenty-seventh ward of the city of Philadelphia, is hereby opened as a public highway, as laid down upon the public plans of the said city ; and that the chief commissioners of highways of the city of Philadelphia shall immediately upon the passage of this act, proceed duly to have the same graded, curbed and paved ; the said city to be liable for the said grading, upon a contract or contracts hereby authorized and directed to be made, at a rate of not more than thirty cents for each cubic yard of cutting down, and thirty cents for each cubic yard of filling in ; also for the making of the intersections, and for such damages for said opening as may be legally assessed ; the cost of the curbing and paving, excepting of the intersections hereinbefore provided for, shall be paid by the owners of property on the said street, according to their respective fronts thereon.

SECTION 2. That it shall be the duty of the chief engineer of the water department to lay water pipes in the said street, between the points named, from time to time, as the said grading is accomplished, in distances equal to three contiguous squares or blocks, and not more than thirty days after any such distance is duly graded ; and the contractor or contractors for the curbing and paving of the said street, shall have the right to file claims as liens against the property fronting on the said street, in the name of said city, and to proceed to collect the same in the manner now provided by law for the collection of municipal claims therein ; and all acts or parts of acts inconsistent with this act are hereby repealed.

SECTION 3. That Baltimore avenue, from Forty-second street to Cobb's creek, in the Twenty-seventh ward of the city of Philadelphia, shall be immediately opened as a free public street of said city, as laid on the plans of said city. The chief commissioner of highways of said city shall cause said avenue to be opened, and notify all parties whose property is taken thereby ; and such parties, whether property-owners on turnpike or plank road companies, shall have their damages assessed by a jury of six citizens, to be appointed as in other road cases, and the damages awarded shall be paid by said city.

SECTION 4. The chief commissioner of highways of said city shall cause said Baltimore avenue, from Forty-second street to Fifty-second street, to be filled up and graded to the curbed established grade, and paved with rubble pavement, and shall, in the name of said city, enter into a contract therefor, with the person or persons chosen by the majority of the owners of property fronting on said avenue between said streets, on the prices now existing; and he shall also, whenever any person or persons shall hereafter be selected by the majority of property owners on said avenue, within any one thousand feet west of Fifty-second street, enter into a similar contract, with such person or persons, for grading, curbing and paving the same for said one thousand feet. The cost of grading, and the paving intersections, shall be paid by said city; and the cost of curbing and paving, outside of intersections, shall be a lien against the lots in front whereof said work is done, and claims therefor may be filed, as is now practiced. The evidence as to what person or persons have been chosen as required by this section, shall be a paper or contract, on which shall appear the signatures of a majority of said property owners.

Commissioner to have same filled up graded and paved.

Contract for work.

Cost of grading, &c., how paid.

Evidence as to what persons are chosen to perform work.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 539.

A Supplement

To an act to incorporate the Factoryville and Abington Turnpike and Plank Road Company, approved the seventeenth day of April, one thousand eight hundred and fifty-six, and supplement thereto, approved the fifth day of March, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted, &c.*, That the Factoryville and Abington Turnpike and Plank Road Company shall have the right to extend their turnpike from its present terminus to the late borough of Providence, now in the city of Scranton, subject to all the provisions under which it was originally constructed.

May extend road.

SECTION 2. That the fifth section of an act incorporating the Paupack Turnpike and Plank Road Company, approved the ninth day of April, one thousand eight hundred and seventy-two, be and the same is applied to the Factoryville and Abington Turnpike and Plank Road Company.

Certain provisions extended to.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 540.

An Act

To abrogate certain restrictions contained in the patent from the Commonwealth of Pennsylvania to the trustees of the University of Pennsylvania, for certain lots of ground on Chestnut, Ninth and High (now Market) streets, in the city of Philadelphia.

WHEREAS, The Commonwealth of Pennsylvania, by patent dated the twenty-eighth day of January, Anno Domini one thousand eight hundred and one, granted to the trustees of the University of Pennsylvania certain lots of ground situate on the north side of Chestnut street, west side of Ninth, and south side of Market (then High) streets, in the city of Philadelphia, containing in front on said Chestnut and Market streets, respectively, one hundred and fifty-one feet nine inches, more or less, and in depth along Ninth street from said Chestnut street to Market street:

And whereas, In the said patent is contained a restriction in the following words: "*Provided always, nevertheless, That no building or erection shall be made on any or either of the lots fronting on High and Chestnut streets at the distance of more than one hundred feet from the said streets respectively, of greater height than eight feet.*"

SECTION 1. *Be it enacted, &c.*, That the restriction contained in the above recited patent be and the same is hereby repealed, released, abrogated and made null and void, and the said the trustees of the University of Pennsylvania, their successors and assigns, are hereby authorized and empowered to build upon all and every part of the said lots of ground, as fully and completely as they might or could have done had said restriction never existed.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 541.

An Act

To correct a misrecital of the title of an act referred to in an act authorizing the board of public education of the First school district of Pennsylvania to take property in the Third ward of the city of Philadelphia, adjoining Mount Vernon school, for school purposes, and providing payment of the same, approved the twentieth day of March, one thousand eight hundred and seventy-three.

SECTION 1. *Be it enacted, &c.*, That in the act, entitled "An Act authorizing the board of public education of the First

school district of Pennsylvania to take property in the Third ward of the city of Philadelphia, adjoining Mount Vernon school, for school purposes, and providing payment of the same, approved the twentieth day of March, Anno Domini one thousand eight hundred and seventy-three," the words, "An act for the selection for sites for school houses, approved April ninth, one thousand eight hundred and sixty-seven," are hereby altered and changed into the following words, to wit: A further supplement to an act for the regulation and continuance of a system of education by the common schools, the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-seven.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 542.

A Further Supplement

To an act, entitled "An Act relative to the Luzerne county prison and to discharged convicts," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, further defining the duties of the warden of said prison and the sheriff of said county, and fixing certain fees of the sheriff of said county.

SECTION 1. *Be it enacted, &c.,* That it shall be the duty of the sheriff of Luzerne county, during the sitting of the court of oyer and terminer and quarter sessions of the peace for the said county, to take charge of the prisoners confined in said prison, awaiting trial or held for other causes, and produce such prisoner before the court, when required; to continue that charge while the prisoners are in court, and to return them to their confinement in said prison when remanded by the court; and for such service he shall be entitled to receive the usual fees allowed in criminal cases, under existing laws. Duty of sheriff.

SECTION 2. It shall be the duty of the warden of said prison to deliver the prisoners aforesaid into the custody of the said sheriff, when required under the provisions of the preceding sections, and to receive them again when returned by the sheriff; and the reasonable expenses incurred by the said sheriff, in transferring the said prisoners from the said prison to the court, and in returning them again, shall be paid by the said county. Duty of warden. :

SECTION 3. That whenever any person is sentenced by the court aforesaid, to confinement in said prison, and to pay any penalty, fine and costs, or either, and a bond or other security is required to be given, the same shall be given to the said sheriff, in the name of the county of Luzerne; and the said How security for fines, &c., to be taken.

Sheriff accountable for moneys collected.

sheriff shall be accountable, under existing laws, for all moneys collected or received by him upon any such bond or bonds.

Repealing clause.

SECTION 4. That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 543

A Supplement

To an act, entitled "An Act to incorporate the Granite Insurance, Trust and Safe Deposit Company," approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one, making certain new provisions in regard to the officers and directors of the said corporation.

WHEREAS, Under and by virtue of the power and authority in said act contained, the stockholders of the said Granite Insurance, Trust and Safe Deposit Company did change the name and title thereof to Guarantee Trust and Safe Deposit Company, a certificate of which change has been, in accordance with the requirement of said act, on the second day of December, Anno Domini one thousand eight hundred and seventy-two, duly filed in the office of the secretary of the commonwealth of Pennsylvania; now therefore,

SECTION 1. *Be it enacted, &c.*, That nothing in any law contained shall prevent or be construed to prohibit the vice president, treasurer, solicitor or other officer of the Guarantee Trust and Safe Deposit Company from being directors of the said company, and receiving at the same time such compensation, for their respective services as such officers, as the board of directors of said company may direct.

APPROVED—The 3d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 544.

An Act

Providing for the lien of taxes, rates and levies, and for the registering and return of unpaid taxes, rates and levies, and for the entering liens therefor on real estate in the county of Delaware, and for the collection of said taxes, rates and levies and liens, and for the duties and liabilities of the collectors of taxes, rates and levies, and for the duties of the prothonotary of the court of common pleas in regard to said liens and taxes; and also as to the effect of said tax liens on the liens of mortgages and ground rents in said county of Delaware.

SECTION 1. *Be it enacted, &c.*, That all taxes, rates and levies which may hereafter be lawfully imposed or assessed, to be applied for any purpose, either in the county of Delaware or in the city of Chester, or in the boroughs and townships in said county, on real estate situate in said county of Delaware and in said city and boroughs, shall be and they are hereby declared to be a lien on the said real estate, on which they may hereafter be imposed or assessed, for a period of one year from the time said taxes, rates and levies are imposed or assessed; and that the said lien shall have priority to and be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility which said real estate may become charged with or liable to from and after the passage of this act.

Taxes a lien for one year.

To have priority.

SECTION 2. That whenever any taxes, rates or levies which may hereafter be lawfully imposed or assessed on real estate as aforesaid (for any purposes excepting road purposes in the several townships of said county) shall remain in arrear and unpaid on the first day of January in the year following that in which the said taxes, rates or levies may have become due and payable, it shall be and it is hereby declared to be the duty of the collector, or officer authorized to collect and receive the said taxes, rates and levies, forthwith to deliver to the commissioners of the said county of Delaware, for state and county taxes, to the school directors of the several districts, for school taxes, and to the treasurer of said city and boroughs in said county, for all other said taxes assessed in said city and boroughs, a true and accurate list or schedule of the said taxes so due and imposed in each case, together with the name or names of the person or persons charged in the duplicate with the same, and also a description of the estate and property on which the said taxes, rates or levies shall have been as aforesaid imposed or assessed, setting forth in the same the name of the ward, district or township in which the said estate or property may be, together with the name or names of the owner or owners of the adjoining lands or property, and also that there has not been on the estate or property any personal property to his knowledge from which the said taxes can be collected, and that the said taxes could not be collect-

Duties of collector when taxes remain in arrear.

Return to be filed with prothonotary, and certificate furnished.

Prothonotary to enter in a docket called "docket of tax liens."

To remain liens as in the case of judgments.

Provisions relative to road taxes in arrear.

ed, although the collector or officer has been diligent in endeavoring to collect and obtain the same, and that the person or persons charged in the duplicate with said taxes have had and received at least thirty days' notice of said taxes, rates and levies assessed on the real estate in accordance with the provisions of this act; of the truth of all which facts the said collector or officer shall make affidavit before an officer authorized by law to take affidavits, which said affidavit shall be annexed to said statement of the collector or officer; and it shall be the duty of the commissioners of said county, the said school directors and the said treasurer forthwith to file the return of the collector or officer, so as aforesaid made in each case in the office of the prothonotary of the court of common pleas of Delaware county, and to furnish to said prothonotary a certificate setting forth the amount of such unpaid taxes and the name of the person or persons against whom the same are assessed, together with a description of the estate and property on which said taxes or levies have been assessed, and directing the said prothonotary to enter the same as a lien; whereupon it shall be the duty of said prothonotary to enter the same in a docket to be called "docket of tax liens," in the name of the Commonwealth of Pennsylvania, for the use of the treasurer of the county of Delaware for State and county taxes, and in the name of the several school districts of said county, for school taxes, and in the name of the said city of Chester and of said boroughs for all other taxes assessed and levied in said city and boroughs as plaintiffs, and against the person or persons against whom the said taxes are assessed as defendant, and setting forth on the docket the amount of taxes unpaid and a description of the estate or property on which the said taxes were imposed or assessed; and the said taxes are hereby declared to be a lien on all real estate in accordance with the provisions of the first section of this act, and when entered in the said judgment docket such liens shall be and continue liens as in the case of judgments in said court, and shall and may be collected with interest thereon from the date of entry, and costs, by executions in like manner as judgments entered in said court of common pleas are collected by law.

SECTION 3. That whenever any taxes, rates or levies, which may hereafter be lawfully imposed or assessed, as aforesaid, for road purposes in the several townships of said county of Delaware, on real estate, shall remain in arrear and unpaid for a period of eight months after such taxes, rates or levies may have become due and payable, it shall be and it is hereby declared to be the duty of the collector or supervisors, authorized to collect and receive the said taxes, rates and levies, forthwith, after the expiration of said period of eight months, to deliver to and file with the prothonotary of the court of common pleas of the county of Delaware, a true and accurate return, in writing, of the said taxes, rates and levies so due and unpaid in each case, together with the name or names of the person or persons charged with the same, and also a description of the estate and property on which the said taxes, rates or levies shall have been as aforesaid imposed or assess-

ed, setting forth in the same the name of the township in which the said real estate and property may be, together with the name or names of the owner or owners of the adjoining lands or property, and streets or roads, and also that there has not been on the estate or property any personal property, to his knowledge, from which the said taxes could be collected, and that the said taxes could not be collected, although the collector or supervisor has been diligent in endeavoring to collect and obtain the same, and that the person or persons charged with said taxes have had and received at least thirty days' notice of said taxes, rates and levies, assessed on the real estate in accordance with the provisions of this act; of the truth of all which facts the said collector or supervisor shall make affidavit before a proper officer authorized by law to take affidavits, which said affidavit shall be annexed to the said return of the collector or supervisor; whereupon it shall be the duty of the said prothonotary of said court of common pleas to file said return among the records of said court, and to enter the said taxes, rates and levies as a lien, as directed in the case of other taxes, rates and levies by the second section of this act, in the name of the township wherein such tax has been assessed as plaintiff, and against the person or persons against whom the said taxes are assessed as defendant, and setting forth in the docket the amount of taxes unpaid, and a description of the estate or property on which the said taxes were imposed or assessed; and the said taxes when entered on said docket as aforesaid, are hereby declared to be a lien on all real estate in accordance with the provisions of the first section of this act, and such liens shall be and continue liens as in the case of judgments in said court, and shall and may be collected with interest from the date of entry, and costs, by execution, in like manner as judgments entered in said court are collected by law.

SECTION 4. The treasurer of the said county of Delaware, and the school directors and supervisors in the several districts and townships of said county of Delaware, and the treasurer of said city of Chester, and of the several boroughs of said county of Delaware, shall have full power and authority to collect the taxes, so as aforesaid entered in said court, and for that purpose to employ counsel; the counsel to be entitled to a commission of ten per cent. on all moneys collected by him, in full compensation for his services in collecting the same: *Provided*, If any person against whom such taxes shall have been assessed, shall make it appear to the proper court that he did not own the premises for which such taxes were assessed at the time they accrued and became a lien thereon, the said taxes shall be collected of the true owner thereof by proceedings to sell the premises by execution.

County treasurer, school directors, &c., authorized to collect taxes.

May employ counsel.

How taxes collected when assessed against wrong owner.

SECTION 5. That it shall be the duty of each and every collector, or supervisor, or officer authorized to collect the taxes, rates and levies aforesaid, mentioned in the first section of this act, to collect the same from any personal property that may be on the real estate, and property on which the said

Further duties of collector.

taxes, rates or levies shall have been as aforesaid imposed or assessed, in accordance with the power and authority now given them by law; and it shall be the duty of such collector, supervisor or officer, at least thirty days before the time fixed for their making return to the prothonotary of the court of common pleas as aforesaid, of the taxes, rates and levies so due and unpaid as aforesaid, to leave a notice, written or printed, at the place of residence of the person or persons charged or assessed with the said taxes, rates and levies on real estate which shall be unpaid, and at the place of residence of all and every person who may be known to be the agent for, or have charge of the said real estate as agent or tenant, if any such person or persons, or his, her or their place of abode can be found in said county of Delaware, which said notice shall be signed by such collector, supervisor or officer, and shall set forth that the taxes, rates and levies on such real estate are unpaid, and that if they are not paid to such collector, supervisor or officer before the time fixed for making return thereof as aforesaid, the same will be entered as a lien, according to the provisions of this act; a copy of which notice, and an affidavit of the service thereof, or that the said person or persons, or his or her place of residence could not be found, shall be filed with the return made of said unpaid taxes to the said commissioners, school directors and treasurers.

What return will
release collector.

SECTION 6. That upon the collector or supervisor or officer authorized to collect the taxes, rates and levies so imposed and assessed on real estate as aforesaid, making a proper and just return of such due and unpaid taxes, rates and levies to the aforesaid commissioners, school directors and treasurers, and as they are required by this act, such collector, supervisor or officer, or his sureties, shall be released from the payment and responsibility of such taxes, rates and levies; but any such collector, agent or supervisor aforesaid, failing or neglecting to make a proper and just return of such due and unpaid taxes, rates and levies to the aforesaid commissioners, school directors and treasurers, as required by this act, such collector, supervisor or officer, and his sureties, shall be held liable for the payment of such unpaid taxes, rates and levies, and the same may be collected from such collector, supervisor or officer, and his sureties.

Of taxes on money
at interest.

SECTION 7. That whenever any taxes, which may hereafter be lawfully imposed or assessed on moneys at interest, shall remain in arrear and unpaid on the first day of January, in the year following that in which the said taxes may have become due and payable, it shall be, and it is hereby declared to be the duty of the collector authorized to collect and receive the same, to deliver to the commissioners of the county of Delaware a true and accurate list, or schedule, of the said taxes so due and unpaid on moneys at interest, together with the name or names of the person or persons charged in the duplicate with the same, and also that the said taxes could not be collected, although the collector has been diligent in endeavoring to collect the same; of the truth of all which

facts, the said collector shall make proper affidavit before a legally authorized officer.

SECTION 8. The treasurer of the county of Delaware, from and after the passage of this act, shall have full power and authority to enforce the payment of all taxes now registered, or that may be hereafter registered in the office of the county commissioners of the said county, and all taxes in arrear and unpaid, or moneys at interest, which may be delivered to said commissioners by list or schedule as aforesaid, under the provisions of this, or any other act of assembly, and for that purpose to employ counsel, and take such other measures as may be necessary; the counsel to be entitled to a commission of ten per centum on all moneys collected by him, in full compensation for his services in collecting the same.

Powers of treasurer to enforce payment of taxes

SECTION 9. For the purpose of carrying the provisions of the ninth section of this act into effect, it shall be lawful for the treasurer of said county of Delaware to file a copy of said unpaid taxes registered in said commissioners' office, in the office of the prothonotary of the court of common pleas of said county, to be registered and entered by said prothonotary against the person or persons against whom the said taxes are assessed, as directed in the case of other taxes by the third section of this act; and said treasurer shall have power to bring suit in said court against the person or persons against whom such taxes are registered, or entered, by *scire facias*, in the name of the commonwealth of Pennsylvania, for the use of the treasurer of the county of Delaware, as in the case of mechanics' claims; and the claims so as aforesaid entered and filed, shall be *prima facie* evidence of the amount thereof, and of the same being due and owing, and judgment be entered by default therefor, unless the defendant shall file his affidavit in the nature of his defence, as required in other cases where the plaintiff has filed his copy of the cause of action in such court, and the judgment and execution shall be with the like effect as in cases of judgments on mechanics' liens; and for the purpose of collecting the said unpaid taxes, or moneys at interest, the said treasurer shall have power to bring suit, in the name of the commonwealth, for the use of the treasurer of the county of Delaware, against the person or persons against whom such taxes are imposed or assessed, before any alderman or justice of the peace, or court of competent jurisdiction, and shall, upon producing before the alderman, justice or court, a certificate, duly certified by said treasurer, of the amount of such taxes due and unpaid, and the person or persons against whom the same is assessed, and the year for which it was assessed, obtain judgment for the amount of such taxes due, together with interest thereon from the first day of January next following the time such taxes were imposed or assessed, and costs, unless the defendant or defendants shall prove that the amounts claimed had been paid or satisfied wholly, or in part, in which case judgment shall be entered for the defendant or defendants, or for the plaintiff for such parts as shall remain due, which judgment shall have the same effect, to all intents and purposes, as judg-

Further powers.

Judgment for taxes.

Suits on claims exceeding \$100.	<p>ments in other cases, and may be appealed from as in other cases ; and judgment may be entered in the court of common pleas of said county of Delaware, on a transcript from the docket of such alderman or justice of the peace as in other cases ; and all such judgments may be collected, with interest and costs, by executions and attachments as other judgments ; and in all cases where the claim shall exceed one hundred dollars, suit for the recovery of the same shall be brought in the court of common pleas of said county of Delaware, by action of debt to recover a general judgment against the debtor or debtors, and the filing of the certificate of the treasurer, as aforesaid, shall be considered as a statement of claim filed, and may be proceeded on under the affidavit of defence law, as in other cases.</p>
Effect of filing certificate.	<p>SECTION 10. In all such actions, if the constable, sheriff or other officer to whom any writ of summons or other original writ is directed, shall return "<i>nihil</i>" endorsed thereon, it shall and may be lawful for the said county treasurer to sue out an <i>alias</i> writ ; and thereupon if the said sheriff, constable or other officer, shall make return of the said <i>alias</i> writ with "<i>nihil</i>" endorsed thereon, the said return of the two "<i>nihils</i>" shall be in all respects equivalent to actual service of the same, as is now the practice in cases of <i>scire facias</i> on judgments and mortgages : <i>Provided however</i>, That it shall be the duty of said sheriff, constable or other officer to give notice of the said <i>alias</i> writ by serving a copy thereof on the tenant in possession of the premises described in said register, if any, or if there be no such tenant, then by posting a copy of the same in some conspicuous part of the premises at least ten days previous to the return thereof, and also by publication in one or more newspapers of said county of Delaware, which publication shall recite the amount of tax claimed, and the description of the real estate as set forth in said treasurer's certificate and filed claim.</p>
Service of alias writ.	<p>SECTION 11. All costs for entering and collecting the aforesaid claims and liens, and on writs, and also the ten per cent. for collection to the counsel employed, shall be collected from the defendant or paid out of the proceeds of the sale of the real estate : <i>Provided</i>, That the fee for collection shall in no case be less than five dollars, in addition to the usual attorney fee charged in executions where recovered as part of the costs.</p>
Cost for entering liens, &c.	<p>SECTION 12. The fee to the prothonotary for filing, docketing and indexing each claim for taxes or liens, and transcripts of judgment therefor, in the county of Delaware, shall be twenty-five cents, and no state tax shall be charged on the same.</p>
Fees of prothonotary.	<p>SECTION 13. It shall be the duty of the prothonotary, when required, to make and deliver a certified search of all such unpaid taxes, entered and registered as aforesaid, for which he shall receive the same fees as by law he is entitled to receive for like judgment searches.</p>
Searches.	<p>SECTION 14. The lien of a mortgage upon any real estate situate in the said county of Delaware, shall not be destroyed</p>
Of the lien of mortgages.	

or in any way affected by the sale of the mortgaged premises, under or by virtue of any process to enforce the payment of any tax, claim or assessment whatsoever, which by existing laws may be a lien on said real estate, unless said sale shall be made under a judgment which was duly obtained and entered, registered in the said prothonotary's office of said county, prior to the recording of such mortgage.

SECTION 15. The estate which may be held in a ground rent in fee, issuing out of any real estate in said county of Delaware, shall not be divested by the sale of the land out of which said ground rent may issue for the non-payment of any tax, charge or assessment imposed on said real estate.

Of ground rent estates.

SECTION 16. That no real estate owned by minors shall be sold under the provisions of this act, until the expiration of one year from the time such minor shall have become of age.

Of real estate owned by minors.

SECTION 17. It shall be the duty of the person or persons receiving the said taxes, rates or levies, to certify the same, within thirty days after the receipt thereof, under a penalty of five dollars, to be recovered as debts of an equal amount are by law recoverable, for the use of the person injured, to the prothonotary of the court of common pleas, who thereupon shall cause the payment of the same to be entered on the proper docket.

Duty of persons receiving taxes.

SECTION 18. The liens of the aforesaid taxes, rates and levies, and all such claims, registered and entered under the provisions of this act, shall be divested by any judicial sale, where the proceeds of such sale are sufficient to pay and discharge the same, but in case the proceeds of such sale, not made under process issued for the recovery of the lien itself, are insufficient to discharge and pay the liens of said taxes, rates and levies, said liens shall not be divested by such sale.

Lien, when divested by judicial sale.

SECTION 19. It shall be the duty of the collector, supervisor or officer, authorized to collect and receive the aforesaid taxes, rates and levies, to give notice to the sheriff or other officer authorized to sell any real estate or property on which said taxes, rates and levies are a lien of the lien and amount thereof of all such taxes, rates and levies as are not registered and entered as liens in the office of the prothonotary of the court of common pleas of said county of Delaware, where the sale is to take place prior to the time required for such lien to be entered, as aforesaid, under the provisions of this act.

When notice of taxes not registered to be given sheriff.

SECTION 20. All taxes, rates and levies in default and unpaid on the same real estate, filed and entered in the office of said prothonotary of the court of common pleas, by the commissioners of said county or treasurer of said city or borough, shall be embraced in the same certificate to said prothonotary, by said commissioners or said treasurer, and entered together as one lien by said prothonotary.

All taxes on same real estate to be embraced in one certificate.

SECTION 21. All judgments and liens for taxes, rates and levies assessed against real estate, created under the provisions of this act, shall have priority to and be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility which the real estate against which it is entered or registered may become charged with or liable to.

Priority of judgments and liens for taxes.

Repealing clause. SECTION 22. That so much of any act of assembly as is inconsistent with the provisions of this act is hereby repealed.

APPROVED—The 1st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 545.

A Supplement

To an act, entitled "An Act to regulate the sale of intoxicating liquors in the county of Allegheny," approved the third day of April, Anno Domini one thousand eight hundred and seventy-two.

Preamble.

WHEREAS, By section ten of said act it is required that the constable of the respective wards, boroughs and townships of the said county shall, on the first week of each term of the court of quarter sessions in and for said county, make return, under oath, of all breweries, distilleries, wholesale dealers, hotels, inns, taverns, drinking saloons, eating houses, and all other places where vinous, spirituous, malt or brewed liquors are kept for sale within his bailiwick :

And Whereas, By the same section of said act it is made the especial duty of the judges of said court of quarter sessions to see that this return is faithfully made :

And Whereas, In order to carry into effect and to enforce the provisions of the said section it is imperatively necessary that a record of all licenses granted in said county be kept, showing the name or names of applicants, bondsmen, place of business, kind of business, approval of bonds, upon which said constables' returns may be entered for the information of said court.

Clerk of quarter sessions to keep certain record.

SECTION 1. *Be it enacted, &c.*, That the clerk of the court of quarter sessions in and for said county be and is hereby directed to keep a record of the names of all applicants for license, the names of the bondsmen on each bond, together with the approval of the same, with the date thereof, kind of business, place of business ; also the classification of the same, and the amount of license to be paid to the treasurer, who shall not receive said bond unless endorsed, as hereinafter provided for, by the clerk of the court of quarter sessions of said county, upon which said constables' returns may be entered ; and for each and every application for license the clerk of the said court shall be entitled to a fee of two dollars, to be paid by the applicant upon his making application for license, which said fee of two dollars shall be in addition to the salary now allowed by law to said clerk of the court of quarter sessions of said county.

Treasurer not to receive bond unless endorsed.

Fee of clerk of quarter sessions on application for license.

To mark bonds "registered."

SECTION 2. In lieu of the duties of the controller of said county by the thirty-sixth section of the act to which this is a

supplement, it shall be the duty of the clerk of the court aforesaid to mark the bonds "registered," as required by said section, and all the duties of the county controller, under said thirty-sixth, shall thereupon cease and discontinue.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 546.

An Act

To enable the Blair Iron and Steel Company to hold lands in this state.

SECTION 1. *Be it enacted, &c.,* That the Blair Iron and Steel Company, a corporation of the state of New York, be and is hereby authorized and empowered to locate its works for manufacturing iron and steel at such place or places in this state as it may deem advantageous, and to purchase, hold and occupy the lands necessary for its works: *Provided,* That said company shall not hold more than twenty acres of land at any one place for its said works, and more than two thousand acres of ore land: *Provided further,* That to the amount of its capital used in this state, said company shall be subject to taxation in the same manner and to the same extent as similar manufacturing companies are taxed under the laws of this commonwealth: *Provided,* That said company, as soon as it commences business in this commonwealth, and annually thereafter, at such times as may be required by the auditor general, shall, under oath of its president and treasurer, make a report of the amount of the value of its property within this commonwealth, which shall be deemed its capital for taxation: *Provided,* That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 547.

An Act

To legalize the issue of certain bonds by the school directors of the borough of Conemaugh, in the county of Cambria, in payment of the building debt of said school district.

SECTION 1. *Be it enacted, &c.,* That the issue by the school directors of the borough of Conemaugh, in the county of Cambria, of seven bonds amounting in all to the sum of ten thousand four hundred and fifty dollars, to secure the debt contracted in the erection of a school house in said borough, is hereby legalized; and the said bonds are and shall be a good and valid debt of the school district of Conemaugh borough; and the school directors of said borough are hereby authorized to assess and collect such additional tax as may be necessary for the payment of said bonds within seven years from the date thereof, and said bonds shall be taxable for state purposes only.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 548.

An Act

To incorporate the Union Savings and Deposit Bank.

Corporators.

SECTION 1. *Be it enacted, &c.,* That John George Fleishman, Robert B. Brown, Nathaniel Green, H. Sunshine, J. B. Lutz, C. Boerner, R. Cunningham, F. Schutte, Joseph Mahler, P. S. Mungaven, John Foel, H. Wilhelm and William Schmolze, and all other persons now doing a banking business in the city of Pittsburg, under the name of the Union Savings and Deposit Bank, together with such other persons as shall become stockholders in the said bank, shall be and are hereby created a corporation and body politic by the name, style and title of the Union Savings and Deposit Bank, and shall so continue for the period of twenty years; and by that name shall and may sue, and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made capable to transact a banking and discounting business, and to make use of and have a common seal, and the same to alter or renew at pleasure.

Title

Limitation.

Privileges.

Location.

SECTION 2. The said bank shall be located in the city of Pittsburg, in the county of Allegheny, and the capital stock

thereof shall consist of fifteen hundred shares of fifty dollars each, with the privilege of increasing the same from time to time, by a vote of the majority of the stockholders, at an election held for that purpose, to four thousand shares of like value per share; and when the capital stock is so increased the stockholders shall have the right to take shares authorized by such increase in proportion to the number of shares then held by each, at not less than par; that if such shares of new stock are not taken by the stockholders within ten days after notice of such increase, then the board of directors may dispose of the same in such manner as they may deem best, but not for a less price than par; and the said bank shall not commence business until at least fifteen hundred shares of its stock are subscribed for and fifty per cent. thereof paid in, and the balance within one year, and any increase of stock to be paid one-quarter down, and the balance within one year.

SECTION 3. It shall be lawful for said bank to receive deposits of money from individuals or corporations, and to allow interest thereon as may be agreed upon between said bank and said depositors; to loan out the same, together with any other moneys it may have, by discounting at legal rate of interest, or purchasing negotiable notes, drafts and bills of exchange or otherwise.

SECTION 4. The affairs of said bank shall be conducted and managed by a board of thirteen directors, to be chosen as hereinafter provided; the said board or a majority thereof shall elect a cashier and such other officers as they may deem necessary, and fix the compensation for the same, and all officers shall give bonds, with good sureties, in such sums as may be required by said board, for the faithful performance of their several duties; and the said board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of this commonwealth or of the United States, and shall have power to require payment of any amount remaining unpaid upon the stock of the said bank, at such times and in such proportions as they may think proper, at and within the periods aforesaid, and under penalty in case of non-payment as required, after thirty days' notice, of forfeiture to the bank of ten per cent. of the amount paid in on such stock, and the expenses of selling the same, but not to be sold less than par.

SECTION 5. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders, at such times and in such amounts as to them may deem proper, but if the directors shall declare and pay any dividend, from any source whatever, other than the net profits and gains of the business of the said bank, they shall become and be personally liable, jointly and severally, to the depositors with and the creditors of said bank for any deficiencies existing to them after their remedies against the said bank shall have been exhausted.

SECTION 6. The said bank shall have power to pay on application, the check, paper, receipt or order of any minor or married woman, such money or part thereof as he or she may

Capital stock

Banking privileges.

How affairs to be conducted.

Cashier and other officers.

By-laws.

Payments of amounts remaining unpaid on stock.

Dividends.

Deposits by minors and married women.

have deposited to his or her credit, or any interest accruing thereon, without the assent or approval of the parent or guardian of such minor, or the husband or creditors of the husband of such married woman; and deposits so made by any minor or married woman, and the interest accruing thereon, shall not at any time be subject to the claim or demand of or payable to the husband of such married woman, or to the parent or guardian of such minor; and the deposits so made by any married woman, and the interest accruing thereon, shall be exempt from attachment by her husband's creditors, and such re-payments on the check, paper, receipt or order of any minor or any married woman of his or her deposit, or any part thereof, or the interest accruing thereon, shall discharge the said bank from any further claim for the same.

May act as treasurer of charitable institutions, &c.

SECTION 7. It shall be lawful for said bank to become and act as a treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of the state of Pennsylvania and other states, of city governments, and counties and districts, in the management of their business, and may give security to such institutions, states and governments, for the faithful performance of the duties required.

Election of directors.

SECTION 8. The stockholders of the said bank, on some day to be designated by a majority of the incorporators hereinbefore named, and on the second Tuesday of January in each year thereafter, after at least two weeks' notice to be given in such manner as the by-laws may prescribe, shall convene at the office of the bank, and by ballot elect thirteen stockholders for directors, who shall continue in office until the next annual election, and each stockholder shall be entitled to one vote for each share of stock held by him, and may vote in person or by proxy, but such proxy must be thereto authorized by a written instrument, dated within six months of and at least five days prior to said election. The board of directors so chosen shall, at their first meeting, organize and elect one of their number for president, and if they deem proper one other for vice president, who shall hold their offices for one year and until their successors shall be duly qualified; and all vacancies occasioned by death, resignation or otherwise, shall be supplied in such manner as the by-laws may direct, and no person shall continue to be a member of the said board who shall have ceased to be a stockholder of the said bank. At any meeting of the board of directors, any seven of the members thereof shall constitute a quorum for the transaction of the business of the said bank, and for the performance of the duties imposed upon the board by this act, and may also appoint such committees for the more convenient transaction of business as they may deem proper.

President and vice president.

Vacancies.

Quorum.

Individual liability

SECTION 9. The stockholders of the said bank shall be individually liable to double the amount of the capital stock held or subscribed by them severally.

Interest on loans and discounts.

SECTION 10. That said bank may take, receive, reserve and charge, on any loan or discount made, interest at such lawful rate as is allowed by any general law of this state,

now or hereafter regulating the rate of interest therein, and no more; and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

SECTION 11. That it shall be lawful for said bank to purchase, hold and convey real estate as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgment, decrees or mortgages held by said bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case, or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

What real estate may be held.

SECTION 12. The legislature hereby reserves the right to alter, revoke or annul this charter, whenever in their opinion it may be injurious to the citizens of this commonwealth, in such manner however that no injustice shall be done to the stockholders: *Provided*, That said corporation shall pay into the treasury of the commonwealth, such bonus and taxes as are now, or may hereafter be required by law.

Reservation.

Bonus and taxes.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 549.

A Supplement

To an act, entitled "An Act to establish an additional court in Cambria county."

SECTION 1. *Be it enacted, &c.*, That in addition to the powers and jurisdiction granted in the third section of the act to which this is a supplement, the said district court of Cambria county shall have and exercise criminal jurisdiction in all cases arising within the territorial limits of said district, which are now triable in the courts of oyer and terminer of this commonwealth, with the exception of treason and homicide, and shall have general, exclusive and unlimited civil jurisdiction within the territorial limits of the said district court, in all cases in law and equity, including libel in divorce, writs of injunction, *mandamus*, *quo warranto*, *habeas corpus*, ejectionment and estrepement, and shall have and exercise chancery powers and jurisdiction, and the power to establish rules of practice, as fully to all intents and purposes as any court in this commonwealth; and the proceedings, remedies, powers, pleadings and costs in all cases, shall be

Additional powers and jurisdiction.

the same as in the courts of quarter sessions and common pleas of Cambria county, so far as the same is not changed by the rules of practice which may be established by the said district court; and anything in the third section of the act to which this is a supplement, in conflict with the provisions of this section, is hereby repealed.

Mechanics' claims, judgments and transcripts a lien on real estate.

SECTION 2. That all mechanics' liens, and also all judgments hereafter entered in the said district court, according to law, and all transcripts of judgments of aldermen and justices of the peace, residing within the said district, when duly authenticated, entered and filed therein, and the exemplification of records of judgments of any court of record within this commonwealth, when entered in the said district court, shall be a lien on the real estate of the defendant or defendants, lying and being within the territorial limits of the jurisdiction of the said district court; and such real estate is hereby made liable to execution and sale, upon writs issuing out of the said district court, in like manner and with like effect as if the same were issued as heretofore out of the court of common pleas of Cambria county; and all the general laws of this commonwealth in relation to execution process in the several courts of common pleas, shall be in force in relation to such process from the said district court.

Such real estate liable to execution and sale.

How lien acquired on real estate outside jurisdiction of court, but within county.

SECTION 3. That for the purpose of acquiring a lien upon the real estate of the defendant or defendants lying and being outside the limits and jurisdiction of the said district court and within the county of Cambria, the plaintiff shall procure from the clerk of said court an exemplification of the record of the case in which judgment has been entered or obtained; which exemplification shall be entered in the court of common pleas of Cambria county, in the same manner and with like effect as in cases where exemplifications of the records of the courts of the several counties of this commonwealth are now by law entered in the courts of counties other than those in which said judgments were entered or obtained; and it shall be lawful for the plaintiff or plaintiffs in the judgment or judgments so entered, to proceed, by writ of execution process, for the recovery of the debt, interest and costs in the same manner and with like effect as if the same had been originally entered and obtained in the said court of common pleas of Cambria county; and the prothonotary's fees for entering and filing said exemplifications shall be the same as is now allowed by law for similar services.

Plaintiff entitled to execution.

Fees of prothonotary.

Judges, how appointed and elected.

SECTION 4. That the proviso in the seventh section of the act to which this is a supplement, viz: "That the president judge of the Twenty-fourth judicial district shall be the president judge of this court, and the associate judges of the courts of Cambria county shall be the associate judges of this court," is hereby repealed, and, in lieu thereof, the provisions of the constitution and general laws of this commonwealth, with respect to the appointment and election of president and associate judges of district courts and other courts of record, are hereby made applicable to the appointment and election of the president and associate judges of this court; and it is hereby provided that in the event of any vacancy

occurring in the office of president judge of the said district court, or in that of either or both of the associate judges of said district court, by death, resignation, removal from office, the failure to elect, or otherwise, the governor shall appoint some suitable person or persons to fill any or either of such vacancies until the first Monday in December following the next general election, and the qualified electors residing within the jurisdiction of the said district court shall, at the first general election which shall happen, more than three calendar months after the vacancy shall occur, elect, in accordance with the provisions of the second section of the fifth article of the constitution, and in the manner provided by the second and eighth sections of the act of April fifteenth, one thousand eight hundred and fifty-one, and under the provisions of the act of April twenty-seventh, one thousand eight hundred and fifty-two, entitled "An Act relative to the election of judges," a suitable person or persons to fill such office or offices for the full term authorized by the constitution; that is, the president judge of said court to hold his office for the term of ten years, if he shall so long behave himself well, and the associate judges of said court to hold their offices for the term of five years, if they shall so long behave themselves well; and that the salary of the president judge of the said district court shall be eighteen hundred dollars per annum, and the salary of each of the associate judges of said court shall be two hundred dollars per annum, and that the said salaries shall be provided for at each session of the Legislature, and be paid out of the state treasury.

How vacancies filled.

Terms of office.

Salaries.

SECTION 5. That from and after the passage of this act it shall be the duty of the governor to appoint a suitable person to act as clerk of the said district court, who shall be a qualified elector, and resident within said district, and who shall be commissioned to hold his office until the first Monday of December next, and until his successor is duly qualified. Before entering upon the duties of his office he shall make oath or affirmation to support the constitution of the United States and of this commonwealth, and to perform the duties of his office with fidelity. He shall also, with one or more sufficient sureties, to be approved by any two of the judges of the said district court, and also by the governor, give a joint and several bond to the commonwealth, in such sum as the governor shall judge sufficient, with conditions, faithfully to execute the duties of said office and well and truly to account for and pay, according to law, all moneys which shall be received by him in his official capacity, and to deliver the books, seals, records, writings and papers belonging to his office, whole, safe and undefaced to his successor therein; and the said clerk shall have and exercise, in the said district court, all the powers and duties now by law conferred on and exercised by the prothonotary of the court of common pleas and clerk of the court of quarter sessions of Cambria county, and shall be entitled to like fees for similar services; and the twelfth section of the act to which this is a supplement is hereby repealed.

Clerk to be appointed and commissioned.

To be sworn.

Give security.

Powers and duties.

Provisions relative
to election of clerk
and judge.

SECTION 6. That the qualified electors residing within the jurisdiction of said district court shall, at the next general election, and whenever it shall become necessary thereafter, at the time and place for holding said election within their respective election districts, vote for one suitable person for clerk of said district court, who shall be a qualified elector, and residing within the said district, to serve for the period of three years, and until his successor is duly qualified as provided in the fifth section of this act, which election for such clerk and also for that of the judges of the said court, when it becomes necessary to elect said judges or either of them, shall be held and conducted in all respects in the same manner, and under the same pains and penalties as elections for representatives are or shall be held and conducted, and by the same judges, inspectors and other officers: *Provided*, That a separate box and tally list be kept by said election board within said district, in which box shall be deposited the vote for clerks of the said district court, and the votes for the judges of the said district court, when there is an election of the said judges or either of them; and the ticket for the election of the said clerks and judges, or other officers of said court, shall be printed or written on one slip of paper, headed "district court," on which slip shall be printed or written the title or name of the office, as for president judge, "president judge of the district court," for associate judges, "associate judges of the district court," for clerk, "clerk of the district court;" and underneath the said headings shall be printed or written the name of the person voted for for either of the said offices; and the returns of said election shall be made out on the separate tally lists aforesaid, and certified to as is now provided by law for the returns of representatives: *Provided*, That the return judges of the several election districts, within the jurisdiction of the said district court, shall constitute a board of return judges, with respect to such election, and shall, at the same time and place of the meeting of the return judges of the county of Cambria, proceed in all respects in relation to such election as is required by the county board in the third section of the act of July second, one thousand eight hundred and thirty-nine, entitled "An Act to provide for the election of prothonotaries, et cetera," except that they shall lodge one of the duplicate returns in the office of the clerk of the said district court, instead of that of the prothonotary of the court of common pleas of Cambria county.

Of contested elec-
tions.

SECTION 7. The returns and proceedings of any contested election under this act, as to the associate judges of said court or either of them, and as to the clerk of said court shall be subject to the inquiry, determination and judgment of the said district court; and in case of a contest as to the associate judges or either of them, the complaint shall be heard and determined in accordance with the provisions of the fifteenth section of the act of April fifteenth, one thousand eight hundred and fifty-one; and any contested election of clerk of said court shall be inquired into, heard and determined by the said court in the manner provided for in the

act of July second, one thousand eight hundred and thirty-six, regulating the method of proceeding in contested elections of the several prothonotaries of the court of common pleas of this commonwealth; and the election of any person as president judge of the said district court may be contested on the petition of fifty qualified voters within the jurisdiction of the said district court, by the same tribunal, and in the same manner, and under the same regulations and restrictions prescribed by the act for contesting elections, to the office of governor of this commonwealth: *Provided*, That no associate judge of said district court shall sit as judge thereof during the contest of his own election.

SECTION 8. That it shall be the duty of the sheriff of Cambria county and one of the associate judges of the said court, to meet thirty days before the first term of the said court, after the passage of this act, and thereupon proceed with due diligence to select alternately from the whole qualified electors of the district, within the jurisdiction of said district court, a sufficient number of sober, intelligent and judicious persons, to serve as grand and traverse jurors in the said court until the first Monday in January next; and that the said sheriff and associate judge shall, in the mode and manner now directed by the laws of this commonwealth, place the names of persons so elected in the proper jury-wheel, and the said jury-wheel shall remain in the custody of the associate judge who attends with the sheriff in selecting and drawing said jurors, and the keys thereof in the custody of the sheriff; and a like selection of jurors shall be made thirty days prior to the January term of said court in each and every year, at which time the said jury-wheel shall be filled as aforesaid, and the said sheriff and one of the associate judges aforesaid shall meet thirty days before each and every term of said court and draw from the proper jury-wheel panels of grand and traverse jurors for the said term for the trial of issues in fact which may be taken in any action, civil and criminal, in said district court, in the manner now practiced and allowed; and all the provisions of the act of April tenth, one thousand eight hundred and sixty-seven, so far as the same are not herein set forth, are hereby made part of this act: *Provided*, That the clerk of said court shall publish the list of grand and traverse jurors in two newspapers published within the jurisdiction of the said court, and anything inconsistent herewith in the thirteenth section of the act to which this a supplement, is hereby repealed.

How grand and traverse jurors to be selected and drawn.

List to be published.

SECTION 9. That all expenses of said court that are incidental to the several county courts of this commonwealth, and now by law payable out of the treasuries of the several counties therein, or which may be authorized by the acts establishing the said court, shall be paid out of the treasury of Cambria county, upon orders drawn upon the treasurer thereof by the associate judges of the said court; the bills upon which said orders are drawn shall be certified by the district attorney of Cambria county, or in case of controversy allowed by the said court, according to the practice in such cases, except bills for jurors' fees, which shall be certi-

How expenses of court to be paid.

Duty of county treasurer.

Sheriff to turn over to treasurer books and moneys.

To issue proclamation of election for clerk and judges.

Of the teste and return of writs.

When stay of execution to be computed from.

Jurisdiction of quarter sessions and common pleas of county excluded

fied by the clerk of said district court; it shall be the duty of the said treasurer to attend at each and every session of the said court to perform the duties aforesaid, for which he shall receive the same compensation as is now allowed by law for similar services; and it shall be the duty of the sheriff of Cambria county, immediately after the passage of this act, to turn over to the said treasurer the books of account relating to the expenses of said district court, and any money in his hands appropriated thereto, taking his receipt for the same; and the seventeenth section of the act establishing the said district court is hereby repealed.

SECTION 10. It shall be the duty of the sheriff of Cambria county to give notice by proclamation to the qualified electors within the jurisdiction of the said district court in two weekly newspapers published within the said district of the election for clerk of the said district court, and also for the judges of the said court whenever it becomes necessary to elect said judges or any of them, which proclamation shall be published for the same length of time, and under the same rules and regulations as are now in force as to the sheriff's proclamation for judges and clerks of the courts of Cambria county, for which he shall be paid in the same manner as provided in the tenth section of this act.

SECTION 11. That every writ for the commencement of an action issued out of the said district court shall bear date on the issuing thereof, and may be made returnable, as follows, to wit: On the first Monday of each and every month, as well as the first day of each and every term of said court; and such process may be directed to be returned to either of the said monthly return days, which may happen before the next term, at the option of the party taking out the same; or in case there should not be ten days between the issuing thereof and the first day of the next term, the same may be made returnable on any Friday of the term, or on the next monthly return day thereafter, or to the first day of the next succeeding term; and in all suits instituted in said court when returns of such process are directed to be made to a monthly or other return day the party may obtain such return, file declarations and other pleadings, take judgment for want of appearance or affidavits of defence, put causes at issue and have them tried, and do all other matters and things in the prosecution of writs that might be done if the said writs had been returned on the first day of any term of said court; and the stay of execution allowed by the third and fourth sections of the act, entitled "An Act relating to executions," approved June sixteenth, one thousand eight hundred and thirty-six, shall count from the return day to which the original process issued was made returnable.

SECTION 12. That the powers and jurisdiction, civil and criminal, hereby granted to the said district court of Cambria county in this act, and the act to which this is a supplement, shall exclude the jurisdiction of the court of quarter sessions, and of the court of common pleas of Cambria county, within the territorial limits of the said district court, with the exception of liens now existing, and execution process on

said liens, and in cases now pending in the said court of common pleas, which shall not be impaired by this act; and that all acts or parts of acts inconsistent with this act are hereby repealed: *Provided*, That it shall be the duty of the commissioners of the county of Cambria to provide suitable rooms and furniture for the use of the said district court and the officers thereof.

Repealing clause.

County commissioners to provide rooms for use of court.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 550.

An Act

To vacate that part of Canal street extending northwardly from Laurel street to Haydock street, lately vacated, in the Sixteenth ward of the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That all that portion of Canal street as originally laid out of the width of twenty-eight feet, extending northward from Laurel street to Haydock street, lately vacated, in the Sixteenth ward of the city of Philadelphia, be and the same is hereby vacated, and the title to the soil of said Canal street included within the provisions of this act, be and the same is hereby vested in the owner or owners of ground fronting on the west side of said street.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 551.

An Act

To authorize the members of the board of public education of the First school district of Pennsylvania to sell certain real estate.

SECTION 1. *Be it enacted, &c.*, That the members of the board of public education of the First school district of Pennsylvania are hereby authorized and empowered to sell, either at public or private sale, for the best interest to the city, all that triangular lot of ground bounded on the north side by Norris street, on the west by Franklin street, on the east, triangularly, by eighth street; and the said board of public edu-

Authorized to sell lot.

How proceeds to
be applied.

cation are hereby directed with the proceeds of said sale, to build or cause to be built, forthwith after said sale, an additional story on the Rutledge boys' and girls' grammar school, in the Twentieth school section.

Not to become in-
vested in sinking
fund of city.

SECTION 2. That the proceeds of sale of said lot of ground shall be appropriated as heretofore directed, and the same shall not merge or become invested in the sinking fund of the said city of Philadelphia, as is now directed by law, when the sale of the the real estate of said city as proposed by the act of second of February, one thousand eight hundred and fifty-four, entitled "An Act to consolidate the city of Philadelphia," and the several supplements thereto.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 552.

A Supplement

To an act incorporating the borough of White Haven, in Luzerne county.

Street commission-
er to be appointed.

SECTION 1. *Be it enacted, &c.*, That the burgess and town council of the borough of White Haven, in the county of Luzerne, shall, at the first meeting after their election, appoint one person, a citizen of said borough, to act as street commissioner for the period of one year; the said street commissioner so appointed to be under the entire direction of the said burgess and town council.

Repeal of provi-
sions authorizing
election of.

SECTION 2. That so much of the fifth section of the act incorporating the said borough of White Haven as authorizes the election of a street commissioner be and the same is hereby repealed.

Taxation for poor
and borough pur-
poses.

SECTION 3. That the burgess and town council of the borough aforesaid are hereby authorized to levy and collect a tax not to exceed ten mills for poor and ten mills for borough purposes, upon the dollar of valuation, and that so much of section ninth of the act incorporating said borough, as limits the levy to five mills for said purposes, and requires a vote of the citizens to authorize a levy in excess of that amount, be and the same is hereby repealed.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 553.

An Act

To repeal the act, entitled "An Act giving bounty on fox, mink and pole-cat scalps in the county of Northumberland," so far as the same relates to pole-cat scalps.

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act giving bounty on fox, mink and pole-cat scalps in the county of Northumberland," approved the sixth day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed, so far as the said act relates to pole-cat scalps.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 554.

An Act

To authorize the school directors of the borough of Coopersdale, in the county of Cambria, to borrow money.

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Coopersdale, in the county of Cambria, be and they are hereby authorized and empowered to borrow on the credit of the said borough, for the purpose of erecting a new school house, any sum of money not exceeding two thousand dollars, and issue bonds therefor payable in ten years from the date thereof, *Provided*, That no bond or obligation shall be issued by the said directors for any sums of less denomination than one hundred dollars, and the same shall be exempt from taxation except for State purposes: *Provided*, That the authority herein granted shall not be exercised until after the power of the courts in such cases shall have been exhausted. Proviso.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 555.

An Act

To authorize the supervisors of Huntington and Union townships, Luzerne county, to lay a special tax for road and bridge purposes.

Supervisors of
Huntington town-
ship to levy special
tax.

To have work done
on certain road.

Supervisors of
Union township
to levy special tax,
and build addition
to bridge.

To have work
done on road.

SECTION 1. *Be it enacted, &c.*, That the supervisors of Huntington township, Luzerne county, are hereby authorized and directed to lay and collect a special tax out of the taxable property in said Huntington township, to the amount of three hundred dollars, and to have work done on a road known as the state road, leading from Shickshinny, Luzerne county, to Orangeville, Columbia county, running along the north side of the mountain near the house of Nathan Ballet, Wesley Benscoter and Joseph M'Daniels, and have work done in Huntington township, Luzerne county, on said road, to the full amount of said tax before the first day of November next.

SECTION 2. That the supervisors of Union township, Luzerne county, are hereby authorized and directed to lay and collect a special tax out of the taxable property in said Union township, Luzerne county, to the amount of twelve hundred dollars, and to build or have built an addition to the stone arch bridge across Shickshinny creek, near the store of James S. Koons, in Union township, Luzerne county; the addition to said bridge to be built on west or lower side of said bridge now there; to be of the same length, height, and twelve feet wide; to be stone, arch, and connect with the bridge now there; the cost of said bridge not to exceed one thousand dollars; to have said bridge built and completed before the first day of November next; and to have work done on the road known as the state road, leading from Shickshinny, Luzerne county, to Orangeville, Columbia county, running along the north side of the mountain near the house of James Search and Joseph M'Daniels; to have work done on said road in Union township, Luzerne county, for the full amount of the balance of the said tax laid, of twelve hundred dollars, after paying for building said bridge; the work on said road to be done before the first day of November next.

APPROVED—The 4th day of April, A D. 1873.

J. F. HARTRANFT.

No. 556.

A Further Supplement

To an act, entitled "An Act to incorporate the Warren and Jefferson Railroad and Coal Company," passed the fourth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.*, That the third section of the act to which this is a further supplement, shall and the same is hereby so amended as to permit the said Warren and Jefferson Railroad and Coal Company, to construct a railroad as provided in said section, from any point convenient and practicable in the county of Warren, to any other convenient point in the county of Jefferson.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 557.

An Act

To provide for the election of chief burgess and town council in the borough of Howard, county of Centre, and to authorize a special tax.

SECTION 1. *Be it enacted, &c.*, That at the next annual election held for the election of borough officers in the borough of Howard, county of Centre, there shall be elected one chief burgess to serve for the term of one year and six councilmen, two thereof to serve for the term of one year, two more thereof to serve for the term of two years, and the other two to serve for the term of three years, and at each annual election thereafter two councilmen shall be elected to serve for the term of three years.

Election of burgess and council

SECTION 2. That it shall be lawful for the burgess and town council of said borough to levy and collect a special tax not exceeding ten mills on the dollar of the adjusted valuation of real and personal property, for the purpose of making and repairing side-walks, grading and paving streets and paying the debts of said borough.

Special tax authorized.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 558.

An Act

To repeal so much of the act, entitled "An Act to change the mode of electing school directors in certain townships in the counties of Bradford and Susquehanna," as relates to the county of Bradford.

SECTION 1. *Be it enacted, &c.*, That so much of the act approved the second day of June, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act to change the mode of electing school directors in certain townships in the counties of Bradford and Susquehanna," as relates to the township of Smithfield, in the county of Bradford, be and the same is hereby repealed.

APPROVED—The 4th day of April, 1873.

J. F. HARTRANFT.

An Act

No. 559.

Authorizing the commissioners of Forest county to borrow money, et cetera.

SECTION 1. *Be it enacted, &c.*, That for the purpose of enabling her to rebuild her county bridges, it shall and may be lawful for the commissioners of Forest county to borrow, on the credit of the county, a sum of money not exceeding eight thousand dollars, at a rate of interest not exceeding eight per centum per annum, and to give the holders thereof transferable bonds therefor in sums not less than one hundred nor more than one thousand dollars, payable at such times as may be agreed upon, not exceeding eight years from this date, with coupons attached thereto, for the payment of the interest which may become due thereon, payable to the bearer thereof half yearly, on the first days of July and January in each year at her county treasury.

SECTION 2. That the bonds so issued shall be signed by a majority of the commissioners, attested by their clerk, and the coupons shall be signed and attested as the bonds are; and the said commissioners shall cause to be kept an account on their books of the number, date and amount of each bond and to whom payable, and they may be assigned by endorsement thereon.

SECTION 3. That the said commissioners of Forest county are hereby authorized and empowered to levy and collect a

Authorized to borrow money and issue bonds.

How bonds to be executed.

Account of to be kept.

How assignable.

Tax to pay bonds authorized.

tax in the same manner as all county taxes are by law collected of not exceeding five mills on the dollar of the total valuation of said county, for the purpose of paying said bonds at maturity; said tax to be called a bridge tax.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 560.

An Act

For the relief of James S. Crawford, a soldier wounded in the riots in Philadelphia, in the year one thousand eight hundred and forty-four, (1844.)

WHEREAS, James S. Crawford, formerly a resident of Germantown, Pennsylvania, now a resident of North East, Cecil county, Maryland, served as a soldier in Captain H. S. Malory's company of Washington artillery, attached to the Forty-seventh regiment, Pennsylvania militia, which was called out by a proclamation of the governor of Pennsylvania, and took part in quelling the riots in the city of Philadelphia in the year one thousand eight hundred and forty-four:

And whereas, On the night of Sunday, July seventh, one thousand eight hundred and forty-four, while in the discharge of his duties, he was shot in the left shoulder by the discharge of a cannon in the hand of and fired by the mob, and suffered amputation of his left arm at the shoulder joint:

And whereas, By the loss of his arm he has been deprived of the means of earning a livelihood at his business and is now in very moderate circumstances.

SECTION 1. *Be it enacted, &c.*, That the state treasurer be and is hereby authorized and required to pay to James S. Crawford of North East, Cecil county, Maryland, a soldier engaged in the suppression of the riots of the year one thousand eight hundred and forty-four, the sum of three hundred dollars, in lieu of a pension from that time until the present, and an annuity of ninety-six dollars per annum, payable semi-annually, commencing January first, one thousand eight hundred and seventy-three.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 561.

A Further Supplement

To an act, entitled "An Act to incorporate the South Side Railroad Company.

SECTION 1. *Be it enacted, &c.,* That time for the commencement of the South Side railroad is extended for a period of five years, from the day of the expiration of the same, and the surveys and locations made by and under the directions of the board of directors named in the original act, shall be as valid, binding and effectual, as though the time for such commencement had not expired.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 562.

A Supplement

To an act, entitled "An Act to erect an independent school district from portions of the township of Rostraver, in the county of Westmoreland, and Washington township, in the county of Fayette," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six, changing the boundary line.

SECTION 1. *Be it enacted, &c.,* That the boundary line of the independent school district created by an act of assembly, entitled "An Act to erect an independent school district from portions of the township of Rostraver, in the county of Westmoreland, and Washington township, in the county of Fayette," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six, and known as the Lagrange district, be and the same is hereby changed, so as to exclude therefrom all the real estate which, at the time of passage of the act to which this is a supplement, belonged to Robert Finley, except one farm, known and designated as the Frazer farm.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 563.

An Act

To erect an independant school district from parts of Hatfield township, Montgomery county, and parts of New Britain and Hilltown townships, Bucks county, to be called the Line Lexington Independent School District.

SECTION 1. *Be it enacted, &c.,* That all parts of the township of Hatfield, county of Montgomery, and of the townships of New Britain and Hilltown, in the county of Bucks, lying between the following described boundaries, namely: Beginning at a point in the Spring-house and Hilltown turnpike, in Hatfield township, Montgomery county at corner of lands of Dr. F. W. Bigony and John M'Kinley; thence in a north-easterly direction to the corner of lands of Jacob Bachman and Lewis Apple, in New Britain township, Bucks county; thence north-easterly along said line to lands of William Ruth; thence in a straight line to the north-east corner of lands between William Ruth and Jacob Swartley; thence along the same and along the dividing line between the properties of the Mennonite church and William Bergey, and continuing in the same direct course to the dividing line between Jonas Clymer and Abraham Lapp, in Hilltown township, Bucks county; thence in a westerly direction to the northern corner of lands between Oliver G. Morris and John Frick, in Hatfield township, Montgomery county; thence in a westerly direction to the northern corner of the dividing line between Oliver G. Morris and Joseph Crowson; thence in a southerly direction along said line, and continuing in the same direct course to the line between Gilbert M'Kinley and Thomas Marshall; thence in a north easterly direction to the place of beginning, shall be and the same is hereby erected into a separate and independent school district, to be known as the Line Lexington Independent School District.

Boundaries.

Name.

SECTION 2. The qualified voters of said independent school district shall meet, annually, at the school house in said district on the second Saturday in April, between the hours of three and six P. M., for the purpose of electing school directors; notice of such election shall be given by the secretary of the board of directors by three written or printed notices, posted up in said district ten days before any such election; at the first election held there shall be elected two persons to serve as school directors for three years, two persons to serve as school directors for two years, and two persons to serve as school directors for one year.

Election of directors.

SECTION 3. At the first election held under this act, Henry Robinson shall give notice thereof, and act as judge, and A. T. Crouthamel and R. J. Hillier, shall act as inspectors; and the returns of said election for directors shall be made to the clerk of quarter sessions of Montgomery county; and like

Who to conduct elections, and returns thereof.

returns shall be made of every subsequent election held by the officers conducting the same; and that the president, treasurer and secretary of the board of directors shall thereafter constitute the board of election for said independent school district.

Duties of county commissioners.

SECTION 4. That at the next annual assessment after the erection of this independent district, it shall be the duties of the commissioners of the counties of Montgomery and Bucks to cause a separate assessment of the subjects and things liable to school tax in each portion of the new district lying within their proper townships, to be made out by the proper assessors thereof, and to be returned to them, wherefrom, after adjustment, they shall cause to be made a correct copy of the assessment thus obtained in every portion of the new district, and shall furnish the same to the secretary thereof, and they shall in like manner and at the same time cause to be made out and furnished to the state superintendent of common schools, a full list of all the taxable inhabitants of said new district, and they shall pay out of their respective county funds to said assessors the usual compensation.

Directors authorized to levy tax, and appoint treasurer and collector.

SECTION 5. The said school directors are hereby authorized and empowered, in each and every year, to levy and assess a tax upon all property, professions, trades, occupations and persons within said district subject to taxation, under the school laws of this Commonwealth, for common school and building purposes; to appoint a treasurer and tax collector, and cause said taxes to be collected and applied to school purposes in said district; said treasurer and collector to give bail if required.

Annual reports.

SECTION 6. The said district shall hereafter make annual school reports to the state superintendent of common schools, in the same manner as other school districts are required by law to make reports, and be entitled annually to receive its proper quota of the state appropriation to common schools; and said district shall be under the jurisdiction of the several courts of Montgomery county, and the power and duties of the superintendent of schools of Montgomery county shall extend over the same as fully as if it had been created entirely out of the territory of Montgomery county.

State appropriation.

To be under jurisdiction of superintendent of schools of Montgomery county.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 564.

An Act

To authorize the Pennsylvania Boiler Insurance Company to give certificates of inspection in and for the city of Philadelphia.

Chief inspector to accept certificates of company.

SECTION 1. *Be it enacted, &c.*, That the chief inspector appointed under an act of assembly, approved the seventh

day of May, Anno Domini one thousand eight hundred and sixty-four, an ordinance of the city of Philadelphia, approved the thirteenth day of July, Anno Domini one thousand eight hundred and sixty-eight, is hereby authorized and required to accept the certificates of inspection of said steam boiler insurance company in lieu of the examination now required by law, and to endorse his approval confirming the same or give a receipt therefor, for which service he shall receive a fee of one dollar in each case ; and any person or persons possessing such certificate, endorsed as hereinbefore mentioned, or a receipt therefor as hereinafter prescribed, the same being unrevoked, shall be exempt from the pains and penalties of the above recited act of assembly and ordinance passed in pursuance thereof: *Provided nevertheless*, That when the inspectors of said company shall decline to continue an insurance or shall cancel the certificate of inspection in consequence of the failure of the party to comply with the requirements of the said act of assembly or ordinance, or in consequence of the insecure character, imperfect safeguards or careless management of any stationary steam engine or boiler, they shall forthwith notify the chief inspector of said city in writing of the refusal and grounds therefor.

His fee therefor.
Holders of such certificates exempt from certain penalties.

Chief inspector to be notified of discontinuance of insurance or cancellation of certificates.

SECTION 2. If any inspector of the said company shall neglect to give the notice required by proviso to section first of this act, or shall effect an insurance on any stationary steam engine or boiler within the city of Philadelphia, not provided with the safeguards required by the aforesaid ordinance, shall knowingly permit an insurance to continue upon any stationary steam engine or boiler in said city, not furnished as aforesaid, he shall be deemed guilty of a misdemeanor and upon conviction in the court of quarter sessions for the said county, shall for each offence be sentenced to pay a fine not exceeding five thousand dollars, and to undergo imprisonment in the jail of said county either with or without labor as the court may direct, for a term not exceeding two years.

Penalties on company inspectors for neglect of duties.

APPROVED—The 4th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 565.

A Supplement

To an act to incorporate the Mahoning and Susquehanna Railroad Company, approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted, &c.*, That the president and directors of said company may increase the capital stock of said company to any sum not exceeding five millions of dollars, as the exigencies of said company may require.

Capital stock may be increased.

Road may be extended.

SECTION 2. That the president and directors of said company in addition to the powers conferred upon them by former acts, shall have the further right to extend said road to connect with any road that is or hereafter may be built in the counties of Westmoreland or Allegheny.

May borrow money

SECTION 3. That the president and directors of said company shall have a right to borrow money not exceeding thirty thousand dollars per mile, bearing eight per centum interest secured upon said road to enable them to build and complete the same.

Time of completion extended.

SECTION 4. That the time of building and completing said road shall be extended for the period of four years.

APPROVED—The 5th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 566.

An Act

To incorporate the Grassler Smoke Stack Company.

Corporators.

SECTION 1. *Be it enacted, &c.,* That William Philips, William F. Grassler, William Brindle and John Riley, their associates and successors, be and they are hereby incorporated and made a body politic and corporate, in fact and in name, by the name of the Grassler Smoke Stack Company, and by that name shall have perpetual succession, and be capable in law of holding, assigning and conveying such personal and real property as may be necessary for the objects of this incorporation; may sue and be sued, plead and be impleaded in all courts of law and equity; may have a common seal, which they shall have power to alter and renew at pleasure; and may receive, execute and deliver all such instruments of writing, and do such things necessary to promote the objects and designs of said company, as authorized by this act, viz: From time to time to make sales of rights, to make and use such improvement in smoke stacks, spark arresters and steam engines as have been or may be patented by the United States patent office, duly assigned or that may be assigned to, or in any way belonging to said company, and to make deeds thereof.

Title.

Powers and privileges.

Patents assigned and lands conveyed to company, to form a common stock.

Shares.

How apportioned. Certificates.

SECTION 2. That any United States patent or patents assigned to or to be assigned, and any land or lands to be conveyed to said company in fee simple by the party or parties owning the same, shall form a common stock, and be divided into three hundred shares of one hundred dollars each, and be apportioned among the subscribers, according to their respective interests, for which certificates shall be issued, and be transferable and assignable in such way, and subject to

such conditions as the said company may from time to time prescribe; and said shares of stock, together with any increase of stock which may be authorized by the unanimous consent of the stockholders shall, for all legal purposes whatever, be deemed and treated as personal estate: *Provided*, That the quantity of land which shall be held by said company shall not exceed the amount required for office purposes.

Shares deemed personal property.

Limitation as to land.

SECTION 3. That the subscribers or stockholders shall meet as soon as possible or practicable after the passage of this act, in the city of Philadelphia, and annually thereafter, at such time and place as shall be fixed upon, and shall then and there proceed to elect five directors, by ballot, to serve for the term of one year, and until others are chosen in their places; and said election shall be made by such of the subscribers or stockholders of said company as shall attend for that purpose, either in person or by proxy, each share of stock to entitle the holder thereof to one vote. The five directors so chosen shall elect one of their number to be president of the board of directors of said company, and a secretary and treasurer, who shall have charge of the affairs of the company, subject to this act and the by-laws of the company; and in case of vacancy or continued absence the office shall be filled by such stockholder or stockholders as the remainder of the directors, or a majority of them, may appoint.

Election of directors.

President, secretary and treasurer.

Vacancies.

SECTION 4. That the directors shall have full power to make by-laws, which shall not be repugnant to the constitution and laws of this state, or of the United States, and to appoint such officers, superintendent and agents, and establish such offices, as they shall deem expedient for the well conducting and transacting the business of the company; to declare and provide for the payment of dividends to the subscribers or stockholders, the making of deeds for the sales of rights to make and use said patented improvement, and to fix the value thereof, and also to fix the salary or compensation of officers, superintendent and agents, and in general to superintend, manage or regulate the business and concerns of the company.

Powers of directors.

SECTION 5. That the books, papers, accounts and by-laws of said company shall at all times be accessible to and open to the inspection and examination of each and every subscriber, member or stockholder of the company: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now, or may be hereafter, required by law.

Books and accounts to be open to inspection.

Bonns and taxes.

SECTION 6. This act shall continue for the space of twenty years from the time of its approval.

Limitation of charter.

APPROVED—The 5th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 567.

An Act

To incorporate the Montrose Bridge Company.

Corporators.	SECTION 1. <i>Be it enacted, &c.,</i> That John C. Paul, D. T. Watson, Alexander Speer, Josiah Reamer, William Boyd, J. H. Miller and William H. Edgerton, and such others as may hereafter associate with them, be and they are hereby a body politic and corporate in law and in fact, by the name, style and title of the Montrose Bridge Company, and by said name and title may sue and be sued, plead and be impleaded in any court of record or elsewhere, to make and alter a corporate seal, and generally to have, exercise and enjoy all the franchises, rights and privileges incident to a corporation, and shall also be entitled to all the rights and privileges, and subject to all the provisions and restrictions of the laws of this commonwealth regulating bridge companies, except as in this act is otherwise provided.
Title. Powers and privileges.	
Subject to.	
Capital stock.	SECTION 2. The capital stock of this said company shall consist of seven hundred and fifty shares of the par value of one hundred dollars each, with power to increase the same to an amount necessary to complete their bridge and works in a good and substantial manner.
Authorized to erect bridge.	SECTION 3. Said company are hereby authorized to erect and construct a bridge over the Allegheny river between any point in Indiana township, Allegheny county, and any point in Penn or Plum township, in the borough of Verona in said county, and in order to enable them so to do, may erect all necessary piers, abutments and other under-masonry in said river or on its borders: <i>Provided</i> , That the said bridge shall be so constructed as not to interfere with the free navigation of said river, and to appoint, agree and contract with such engineers, superintendents, artisans, laborers and other persons as they may think necessary to make and construct said bridge. Said bridge when erected shall be the property of said company, its successors and assigns forever; and the said company are hereby empowered to erect gates, to demand and receive tolls for crossing said bridge, at such rates as the board of directors may from time to time determine; and said company shall possess and are hereby granted all the powers and privileges contained in the eighth, ninth and fourteenth sections of an act, entitled "An Act to incorporate the Susquehanna Bridge Company at Safe Harbor, Lancaster county, Pennsylvania," approved April fourteenth, Anno Domini eighteen hundred and sixty-eight.
Navigation not to be obstructed.	
May erect gates and demand tolls.	
Additional privileges.	
By-laws	SECTION 4. Said company may pass, alter and amend all by-laws necessary or proper for the government of the affairs and property of the same; may therein, <i>inter alia</i> , provide for the time and manner of payment of its stock, for forfeiture and penalty on non-payment of any instalment thereof, for the transfer of the same, for all elections and the manner of voting thereat, for penalty for crossing bridge without

payment of toll, for the election and number of directors, and the election, and titles, and functions and duties of officers, agents and employees of said company.

SECTION 5 Said company shall have power to issue its bonds at any time to an amount not exceeding fifty thousand dollars, at any rate of interest not exceeding ten per centum per annum, and the same to sell or dispose of as it may see proper; said bonds may be secured by a mortgage or mortgages of said company, which it is hereby duly authorized to make, upon any or all of its franchises and property, real, personal and mixed, and the same when recorded in the recorder's office of Allegheny county shall be a valid lien to all intents and purposes.

May issue and dispose of bonds.

SECTION 6. The board of directors, from time to time elected, may exercise all of the powers and privileges in any way possessed or enjoyed by this company, and may fix the compensation of the officers, agents and employees of said company, and directors may be officers receiving compensation or otherwise.

Directors may exercise powers of company, &c.

SECTION 7. For the purpose of organization, the persons named as corporators in the first section of this act, or a majority of them, shall meet and pass any or such by-laws as this company is authorized to pass, and at said meeting also to provide for the receiving of subscriptions to the capital stock of this said company; after at least one hundred shares of the said stock has been subscribed, the aforesaid corporators or a majority of them shall call a meeting of the said subscribers, and at said meeting an election shall be held for a board of directors of said company, in accordance with law and the by-laws of this said company: *Provided*, That at this and all other elections for directors of said company, each share of stock shall entitle the holder thereof to one vote: *Provided further*, That said bridge shall not be at a less height than the present bridge across said river at Sharpsburg.

Organization.

Election of directors.

Height of bridge regulated.

SECTION 8. The Legislature reserves the right at any time to regulate the rate of tolls that may be charged for crossing said bridge.

Reservation.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 568.

An Act

To lay out and build a state road in the counties of Schuylkill and Luzerne.

SECTION 1. *Be it enacted, &c.*, That William H. Barlow and John R. Porter, of the county of Schuylkill, and Philip Huntzinger of the county of Luzerne, be and the same are

Commissioners appointed to lay out road

hereby appointed commissioners to view, lay out and open a road beginning on the road leading from Mahanoy City to Delano, at or near Alter Rock, in the county of Schuylkill, thence by the nearest and best route to a point in the road at or near the junction of Black and Nescopeck creeks, in Luzerne county.

Duties.

SECTION 2. That it shall be the duty of the said commissioners, after taking and subscribing an oath or affirmation before a justice of the peace or notary public, to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which said road shall pass, and lay out and mark the same or the route agreed upon by them for the road aforesaid; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners are hereby authorized to employ one surveyor at a per diem allowance of three dollars per day, and two chain-carriers, and two axmen, at a per diem allowance of two dollars per day each, for every day necessarily employed in the discharge of the duties enjoined by this act.

May employ surveyor, chain-carriers and axmen.

Drafts to be made and filed.

SECTION 3. The said commissioners shall cause to be made out fair and accurate drafts of the location of said road respectively, noting the courses and distances as they occur, with such other matter as may serve for explanation, a copy whereof to be deposited in the office of the clerk of the court of quarter sessions of the several counties through which said road shall pass; and the said commissioners shall, within thirty days after the filing of said drafts, give public notice by printed handbills posted in the most conspicuous places along the line of said road and other places contiguous thereto, that upon a certain day, and at a certain place they will receive sealed proposals for the opening and making of said road; said proposals or bids to embrace either the whole or certain portions of said road; upon the day so appointed the commissioners shall open said proposals, and shall award the contract for making and opening said road, either in whole or in portions, to the lowest and best bidder; said contractor or contractors shall, within five days after the award of contract, file with said commissioners a bond or bonds with good and sufficient security, in a sum equal to the amount of his or their contracts, for the faithful performance of the duties enjoined under the contract and specifications: *Provided*, That in the event of the lowest bidder or bidders failing to file his or their bond as hereinbefore provided, then the said commissioners shall allot said contract to the next highest bidder that will conform to the requirements of this section.

Notice given of time and place of receiving proposals for opening road.

Contract to be awarded to lowest bidder.

Contractor to give security.

Proviso.

Warrants in favor of commissioners.

SECTION 4. The said commissioners are hereby authorized and empowered to draw warrants, in favor of the contractor or contractors, on the treasurers of the several townships through which said road shall pass, for such sum as may be necessary to build or construct so much of said road as the relative length in such township may be to the entire length thereof; and the several townships through which said road shall pass are hereby authorized and empowered to levy and collect a special tax not exceeding two mills in any year on the assessed valuation of such township; said tax shall be

Special tax.

levied and collected at the same time and in like manner as other county and township rates and levies are made and collected; said tax so collected shall be applied only to the payment of the warrants hereinbefore mentioned.

SECTION 5. The said commissioners are hereby authorized and required to examine said road as the work progresses, and draw warrants in payment thereof in proportion to the amount of work performed, and no warrant shall be drawn until the work shall be approved by said commissioners; should any contractor or contractors fail to do their work in a good and workmanlike manner, then and in that case the said commissioners are hereby authorized to re-let such work at the expense of the original contractor or contractors.

Commissioners to examine road, &c

Work to be approved before warrant drawn.

When same may be re-let.

SECTION 6. Said road shall be commenced within thirty days after the award of contract, and completed within one year, unless in the opinion of the said commissioners it may be prudent and necessary to extend the time to two years.

Commencement and completion.

SECTION 7. A majority of said commissioners are hereby authorized and empowered to carry out the intentions of this act, and shall receive a per diem compensation of three dollars for every day necessarily employed on said road.

Quorum.

Compensation.

SECTION 8. The damages occasioned by reason of said road shall be assessed under the provisions of the act of January twenty-sixth, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies."

Damages.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 569.

An Act

To lay out a state road from Blairsville, Indiana county, to Latrobe, Westmoreland county.

SECTION 1. *Be it enacted, &c.,* That S. H. Baker, Joseph Guthrie, of Westmoreland county, and John Hill, of Indiana county, are hereby appointed commissioners for the purpose of laying out and opening and making a state road, commencing at the eastern end of Depot street, in the borough of Latrobe, Westmoreland county, Pennsylvania, to the borough of Blairsville, Indiana county, Pennsylvania, to be opened 30 (thirty) feet in width.

Commissioners appointed to lay out road.

Width.

SECTION 2. That when said road shall have been surveyed and located it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of Westmoreland county, and when so filed said draft and the record thereof shall be legal evi-

Draft to be made and filed.

dence in all things relating to the same; that any two of said commissioners shall be deemed a quorum and sufficient to do anything authorized to be done by this act, having a due regard to a straight and easy road, with the power to locate said road in part on roads now opened by law; the said commissioners shall receive three dollars per day for each day they shall be necessarily engaged in the performance of their duty, under the provisions of this act; they shall employ a practical surveyor at the rate of five dollars per day, and two chain bearers at two dollars per day: *Provided*, That one of the commissioners may act as surveyor, but he shall not receive more than five dollars per day as commissioner and surveyor; before entering upon the duties required by this act, the commissioners and surveyors shall be sworn or affirmed before a justice of the peace to perform all the duties required of them truly and fairly.

Quorum.

Power to locate road.

Compensation.

Surveyor and chain bearers. Proviso.

Commissioners and surveyor to be sworn.

Supervisors' duties

SECTION 3. It shall be the duty of the supervisors or other officers having charge of the public roads in the several townships through which said road shall pass, upon a written notice being given by one person interested in its use, to proceed without delay to open, construct and keep in order and good repair said road, under a penalty of fifty dollars for neglecting the same, to be collected before any justice of the peace in the county where said officer resides.

Vouchers for expenses to be filed and paid.

SECTION 4. The commissioners appointed by this act shall file vouchers for their per diem pay and other necessary expenses with the commissioners of the counties through which said road shall pass, who shall adjust the same and pay them as other accounts and orders are paid, by warrants on the treasurer, or otherwise: *Provided*, That neither of the said counties be liable to pay a greater proportion of the said expenses than for the work done or service rendered within said county.

Proviso.

Meeting of commissioners.

Vacancies.

SECTION 5. That said commissioners shall meet within thirty days after the passage of this act and proceed to view and locate said road, and if a vacancy should occur by reason of resignation or otherwise, the remaining commissioner or commissioners may fill the vacancy by the appointment of a suitable person or persons.

Damages.

SECTION 6. It shall be the duty of the commissioners to assess all damages sustained by owners of land by reason of said road, and said damages are to be paid as is now provided by law.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 570.

A Further Supplement

To an act to incorporate the Peach Bottom Railway Company.

SECTION 1. *Be it enacted, &c.*, That the second section of the act of incorporation of the Peach Bottom Railway Company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-eight, shall be and is so far altered and supplied as to authorize and empower the said company to lay out, construct and operate the main line of its railroad to the town of Berlin, in the county of Adams.

May construct and operate the main line to Berlin.

SECTION 2. That it shall be lawful for the court of common pleas of the proper county, in the selection of viewers for the assessment of damages, under the provisions of the charter of said company and the general railroad laws of this commonwealth, to appoint resident freeholders in any part of said commonwealth.

Viewers of damages, how selected.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 571.

A Further Supplement

To an act to incorporate the Delaware Avenue Market Company of the city of Philadelphia, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted, &c.*, That the several provisions in the first section of the act of assembly of the commonwealth of Pennsylvania, entitled "An Act to incorporate the Delaware Avenue Market Company of the city of Philadelphia," approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, be and the same are hereby repealed.

First section of act of incorporation repealed.

SECTION 2. That the said company shall have power, and are hereby authorized to increase their capital stock, so that the same shall not exceed ten thousand shares of the value of one hundred dollars each.

Capital stock may be increased.

SECTION 3. The said company are hereby authorized and empowered to borrow any sum of money, not exceeding six hundred thousand dollars, and issue either registered or coupon bonds therefor, bearing interest at a rate not higher than

May borrow money and issue bonds.

seven per cent. per annum, payable half yearly, or quarterly, and to be secured by mortgage of any or all of their real estate, together with their corporate rights and privileges.

May build branch market houses.

SECTION 4. The said company shall have power to erect, build, hold and manage one or more branch market houses, and the appurtenances, together with docks, wharves and landings, for the same, within the limits prescribed by the act and its supplement to which this is a further supplement.

Officers.

SECTION 5. The directors of said company may elect officers of the company without the pre-requisites of said officers being citizens of Pennsylvania; but a majority of the directors of said company shall be citizens of Pennsylvania.

Repealing clause.

SECTION 6. All laws and parts of laws inconsistent or conflicting with this supplement be and are hereby repealed.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 572.

A Supplement

To an act, entitled "An Act to incorporate the Agriculturist Bank of Hulmeville," approved March nineteenth, one thousand eight hundred and seventy-two.

Name changed.

SECTION 1. *Be it enacted, &c.,* That the name of this corporation shall be the Hulmeville Bank, instead of the Agriculturist Bank of Hulmeville.

Organization.

SECTION 2. That said company may organize and commence operations as soon as twenty-five per centum of their capital stock shall have been paid in; the balance of said capital stock shall be paid within one year therefrom in cash.

Payment of stock.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 573.

An Act

Conferring additional powers on the Pittsburg and Castle Shannon Railroad Company, extending the time for the completion of their road, authorizing them to issue and sell bonds secured by mortgage, and other powers.

Ten years allowed for the completion of road.

SECTION 1. *Be it enacted, &c.,* That the Pittsburg and Castle Shannon Railroad Company are hereby allowed ten years from the date hereof for the completion of their road.

SECTION 2. Said company shall have, and are hereby authorized to issue bonds at any time, for any amount not exceeding three hundred thousand (\$300,000) dollars, and secure the same by mortgage or mortgages upon all its property, real, personal and mixed, and upon its franchises; said bonds may be, at any time, for any rate of interest not exceeding seven per centum, and may be sold or disposed of as the board of directors of said company may see proper. The mortgage or mortgages, upon being recorded in the recorder's office of the county in which the land and personal property therein described lie, shall be a valid lien upon the same: *Provided however*, That no bond shall be issued for a less amount than one hundred dollars.

May issue and sell bonds.

SECTION 3. Said company are also empowered to construct, erect, maintain and regulate an incline plane or incline planes, at any point or points on the line of, or connecting with their said road, and in so doing they shall have all the powers and privileges given and enumerated in an act of the legislature of this commonwealth, entitled "An Act regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty-nine, and the various supplements and additions thereto; and they may make such regulations of rates for the transportation of property and persons over such incline plane or planes as is authorized by the Monongahela Inclined Plane Company, in an act incorporating said Monongahela Inclined Plane Company, approved April twelfth, one thousand eight hundred and sixty-seven.

Authorized to construct inclined planes.

APPROVED—The 5th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 574.

An Act

To authorize the borough of Warren to erect water works and borrow money.

SECTION 1. *Be it enacted, &c.*, That the burgess and town council of the borough of Warren, in the county of Warren, be and they are hereby authorized and empowered to erect, construct or maintain or contract for the erection and construction of water works for the said borough, including buildings, machinery, reservoirs, dams, trenches, pipes, and all things necessary to the full and entire completion of the same, for practical operation for introducing into said borough a sufficient supply of pure and wholesome water for the use of the inhabitants thereof.

Burgess and council authorized to erect works.

SECTION 2. That said burgess and town council are hereby authorized to purchase and hold in the name of the said bor-

Purchase real estate.

Take and occupy
streams.

ough, in fee simple or any less estate, all lands in or near said borough, necessary for the proper erection and maintenance of said water works, and if unable to agree with the owner for the price of the same, they may enter upon and occupy and hold the same for the purposes aforesaid, making compensation as hereinafter provided; and they shall also have power to take, occupy and enjoy any stream or streams of water in said borough or townships adjacent thereto, that they may deem necessary to carry out the purposes of this act, or any lands to which said stream or streams of water may be appurtenant, with full power to hold the same for the purposes above mentioned, they doing as little damage as possible and making compensation to the owner or owners as hereinafter provided.

May enter upon
lands, &c.

SECTION 3. Said burgess and town council are hereby authorized and empowered by themselves, their agents and employees, from time to time and at all times hereafter, to enter into and upon all land or enclosures, streets, lanes, roads or highways, which it may be necessary to hold, occupy or use for the purposes of constructing or repairing or renewing their works aforesaid, and every part thereof, doing as little damage as possible to private property and making compensation therefor as hereinafter provided.

Proceedings in
cases of disagree-
ment with owners.

SECTION 4. When the parties cannot agree upon the compensation to be made to the owners of any lands or private property required for the use of said works, it shall be lawful for either party to present his, her or their petition to the court of common pleas of said county, setting forth the facts and praying the court to appoint proper persons to view the lands and premises, and value the same or assess the damages; and thereupon the court shall appoint three suitable and disinterested persons, whose duty it shall be after being first duly sworn or affirmed, to view the lands and premises and injuries complained of, and make report of the damages done, if any, or the value of the lands so taken or required, to the next court of common pleas, upon which report when confirmed judgment shall be entered, and execution may be issued as in other cases of debt. And the viewers shall be entitled to one dollar per day for their services, and the officers of the court the same fees as for similar services and proceedings in other cases, to be paid by the party against whom the report shall be made: *Provided*, That it shall be lawful for the said burgess and town council to enter at once into the possession or use of such lands or premises, upon giving or tendering to the claimant or claimants the bond of said borough under its corporate seal and hand of the burgess, in such amount and with such security as may be approved by one of the judges of said court, conditioned for the payment of such award as may be made and confirmed.

Compensation of
viewers.

May take possession at once, upon
tender of bond to
claimant.

May enact ordi-
nances relative to
conveyance of
water, fix hy-
drants, &c.

SECTION 5. That the said burgess and town council shall have power and authority to pass, enact and ordain all laws and ordinances, penal and otherwise, necessary to enable them to convey the said water through the borough in all directions, and to such points outside as they may deem expedient; and to fix hydrants, fire-plugs and stops wheresoever

they may deem proper; and to protect the water works, cisterns, reservoirs, pipes, plugs and hydrants from molestation, damage or destruction; and to fix and determine from time to time the rates or prices to be paid by the citizens and others for the use of said water; and to collect the same in the same manner that taxes are now by law collectible, or otherwise, at their discretion; and generally to do all things requisite and necessary for carrying into full and perfect effect the objects contemplated by this act.

SECTION 6. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatsoever, whereby any building, construction, reservoir or works of the said corporation, or water power, or any matter or thing pertaining to the same, shall be destroyed, injured, contaminated, stopped or obstructed, the person or persons so offending shall be guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions of Warren county, and on conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both at the discretion of this court: *Provided*, That such criminal prosecution shall not in any way impair the right of the said corporation to a full compensation in damages by civil suit.

Penalties for injuring works or corrupting waters.

SECTION 7. That the said burgess and town council are hereby authorized and empowered, for the purpose of carrying into full effect the provisions of this act, to borrow money not exceeding fifty thousand dollars, in the name and on the faith, credit and responsibility of said borough, and to issue bonds therefor under the corporate seal of said borough, signed by the burgess, and attested by the clerk, and to negotiate the same; said bonds shall be of such sums, and running for such length of time as said burgess and council shall deem best, and shall bear such rate of interest not exceeding six per centum, and as agreed upon, and shall be exempt from taxation except for state purposes; and said burgess and town council shall have all power necessary for levying, assessing and collecting such tax as may be necessary from time to time to pay off said debt and redeem said bonds.

Authorized to borrow money and issue bonds.

SECTION 8. That all money realized from the sale of bonds issued in pursuance of the provisions of this act, together with all the water rents and income of said water works, shall be designated the water fund, and shall be expended in the construction, repair and maintenance of said works, the payment of the interest on said bonds, and for no other purpose.

Levy tax to redeem loan.

What to constitute water fund.

How expended.

APPROVED—The 5th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 575.

An Act

For the appointment of an additional auctioneer in the county of Mercer.

SECTION 1. *Be it enacted, &c.*, That the governor be and is hereby authorized and empowered to appoint and commission for the term of five years one additional suitable person in said county of Mercer, as an auctioneer, who shall be authorized to sell at public auction, at such times and in such places as he may select, all kinds of goods, wares and merchandise, lands, tenements and all other kinds of property; and the auctioneer so appointed and commissioned shall, before exercising any of the powers or enjoy any of the privileges incident to said appointment, pay into the county treasury of Mercer county for the use of the commonwealth the sum of ten dollars for his commission, and the said auctioneer shall also pay into the county treasury for the use of the commonwealth the one-half of one per centum on the aggregate amount of sales exceeding ten thousand dollars.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 576.

An Act

To extend the provisions of an act entitled, "An Act to regulate medical practices in the counties of York, Indiana, Perry, Juniata, Adams, Bucks, Northampton, Lehigh and Elk," approved April fifteenth, Anno Domini one thousand eight hundred and sixty-nine, to the counties of Columbia, Wyoming, Cambria and Armstrong.

SECTION 1. *Be it enacted, &c.*, That the act entitled, "An Act to regulate medical practice in the counties of York, Indiana, Perry, Juniata, Adams, Bucks, Northampton, Lehigh and Elk," approved April fifteenth, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby extended to the counties of Columbia and Armstrong; and from and after the passage of this act all the provisions thereof shall be in full force in the counties of Columbia and Armstrong, and Wyoming and Cambria.

APPROVED—The 5th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 577.

An Act

For the relief of Hepzibah Cobb.

SECTION 1. *Be it enacted, &c.,* That a pension of eight dollars per month be granted to Hepzibah Cobb during her lifetime, commencing January first, one thousand eight hundred and seventy-two, and that the state treasurer be directed to pay the same quarterly, upon presentation of proper vouchers: *Provided,* That whenever the general government shall pay a pension to the widows of soldiers of the war of one thousand eight hundred and twelve, the pension hereby granted shall cease: *Provided further,* That this act shall not be subject to the payment of any enrolment tax.

APPROVED—The 7th day of April, 1873.

J. F. HARTRANFT.

No. 578.

A Supplement

To an act to incorporate the Collins Mineral, Land and Mining Company, approved the second day of June, Anno Domini one thousand eight hundred and seventy-one.

SECTION *Be it enacted, &c.,* That the Collins Mineral, Land and Mining Company be and the same is hereby authorized and empowered to sell and convey, or otherwise dispose of, such portion or portions of its real estate, and upon such terms as from time to time its board of directors may authorize.

APPROVED—The 7th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 579.

A Supplement

To an act incorporating the borough of Sharpsburg, in Allegheny county.

SECTION 1. *Be it enacted, &c.,* That it shall be unlawful to place or keep in store nitro-glycerine, gunpowder or other explosive compounds within the limits of the borough of

Sharpsburg, in Allegheny county, Pennsylvania, or within one mile of the said borough line, unless with the consent of the borough council, under such regulations as they by ordinance may prescribe: *Provided*, That no ordinance shall legalize the storing within said limits of a greater quantity of gunpowder than thirty pounds by any one individual or firm at any one time.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 580.

An Act

To regulate the public printing in Clinton county.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, in all cases where the sheriff, treasurer and commissioners of Clinton county, either or all of them, are required by law to make any publication concerning or in connection with the duties or business of their respective offices, in three weekly newspapers, published in the county, the same shall be made and done in the Clinton Republican and Clinton Democrat, published in Lock Haven, Pennsylvania, and in the Renovo Record, published in the borough of Renova, in said county.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 581.

A Further Supplement

To an act incorporating the city of Harrisburg, providing for the election of a city controller; relating to the city treasurer, gas and water inspectors; authorizing council to divide wards into election precincts; establishing certain qualifications for members of council and school directors; relating to water pipes; authorizing said city to borrow money and issue bonds; creating a sinking fund; the levying of additional tax; relating to the board of health; giving the council certain additional powers, and repealing parts of law relating to said city; changing place of holding election in Eighth ward.

Council to elect
city controller.

SECTION 1. *Be it enacted, &c.*, That the common council, at a meeting held for the purpose, on the third Tuesday in April, after the passage of this act, and every second year thereafter, at the same time, shall elect one person to be controller of the accounts of said city, and, at a previous meeting of said

council, fix his compensation for the term said officer is to be elected; said controller shall have the general supervision and control of the fiscal affairs of the city, to be exercised in the manner which shall be by ordinance prescribed; he shall prepare and present to said council, on or before the first Saturday of January, in each and every year, an estimate of the probable expenditures for the ensuing year, and from what sources income will arise to meet expenses; he shall keep a full regular set of books of account, exhibiting accurate statements of all money received and from what sources, and also of all money expended by the corporation, and for what objects and under what appropriation, and in no case draw an order against an appropriation which has been exhausted; he shall also keep a correct descriptive account of all property owned by the city, and of the income derived from it, specifying also that from which no income is received; he shall examine all bills, claims and demands against the city, and shall countersign warrants on the city treasury for payment thereof, which warrants shall be submitted in a written report to councils for their approval, stating under what appropriation and by what authority they are drawn, and upon approval by council, such orders or warrants may be paid; he shall promptly report in writing to the attorney of the corporation, any default or delinquency of any receiving or disbursing city officer; he shall have authority to administer oaths or affirmations to any corporation officer, and to any persons presenting claims or other accounts against said city, but shall be entitled to no fee for so doing. He may be removed from office by two-thirds voting in favor of said removal, which vote shall be taken by yeas and nays, the proceedings to be certified and published as ordinances are required to be, and upon his removal, the common council shall, within one week, proceed to fill the vacancy, at a meeting for the purpose.

His duties and powers.

May be removed from office.

SECTION 2. The city treasurer shall report weekly to the city controller the amount of money expended by him and for what purpose; also, the amount received and from what sources; also, the cash balance in his hands, and furnish, when requested by council or the controller, a full and accurate account of his receipts and expenses, under a penalty of suspension from the duties and perquisites of his office.

City treasurer to make weekly report to.

SECTION 3. Said council shall elect, on the third Tuesday in April, one person to be a gas and water inspector and water tax collector, to serve for two years, subject to removal as in the case of other officers, and subject to such powers and directions as council shall order for the performance of his duties, and in case of vacancy or removal from office by council, said council shall within one week fill the vacancy.

Gas and water inspector and water tax collector, to be elected.

SECTION 5. That the office of auditors of the accounts of the city of Harrisburg is hereby abolished.

Office of auditors of accounts abolished.

SECTION 6. That all laws and ordinances relative to printing and advertising for the city of Harrisburg be and the same are hereby repealed, so far as they relate to the publication of the proceedings of council.

Laws relative to publishing proceedings of council, repealed.

SECTION 8. That the common council of the city of Harrisburg are hereby authorized and empowered by ordinance to

Council may divide wards into precincts.

Fix places of holding elections, and appoint officers.

Returns and certificates.

How to be divided.

Not to allow fees or perquisites to certain officers.

Additional qualifications of councilmen and school directors.

Qualification of electors of school directors.

Penalties for injuring water works, corrupting waters, &c.

lay out and establish such number of election precincts in each of the wards in said city as they may deem necessary, and the same to alter and change from time, as in their judgment may be necessary for the public convenience; and the said council shall have full power and authority to fix the place of holding the election in any of the said election precincts, and the same to remove or change from time to time as they may deem proper; and the said common council shall designate the officers to hold the first election after the said precincts are established, at which election the qualified voters of the precinct shall choose the election officers for the following year, as is now provided by law in the case of wards: *Provided*, That no ward shall be thus divided unless it had polled four hundred votes at the election preceding said division. That the judges of elections in the several precincts in each ward shall meet at ten o'clock A. M. on the Thursday succeeding each election, and add together the number of votes in each precinct for city and ward officers, and issue a certificate to the ward officers elected, and make returns in the same manner as is now provided by law for ward returns; and it shall be divided as nearly as may be into equal divisions, and returns made of all state, county, city, ward or special elections, in the manner now provided or may hereafter be provided by law, and the place of voting to be at some school house in each ward so divided into precincts.

SECTION 9. It shall not be lawful for the common council to allow fees or perquisites to the city controller, treasurer, attorney, city clerk or members of common council, but they shall be paid a salary, to be fixed from year to year in the ordinance making provision for the expenses of the city government.

SECTION 10. That no person shall hereafter be chosen to serve as a member of the common council or board of directors of public schools in said city, unless, in addition to the qualifications now required by law, he shall also be the owner, in fee simple, of real estate situate within the limits of said city, and subject to taxation for city and school purposes; and that hereafter no person shall vote for school directors unless such person has paid a school tax within one year previous to voting, which tax shall have been assessed at least ten days previous to voting.

SECTION 11. That any person who shall wilfully destroy or injure, or in any manner interfere with, without due authority, the pipes, aqueducts, cisterns, reservoirs, hydrants, or any of the works belonging to or connected with the water works of said city, and erected or constructed for the purpose of supplying the city with water, or shall wilfully corrupt or otherwise render unwholesome the stream or streams of water which shall be conveyed or brought into said reservoirs, works or aqueducts, by said city, or shall in any way pollute or render noxious or offensive the said water, every such person so offending shall forfeit and pay a sum not less than five or more than one hundred dollars, at the discretion of the magistrate, to be recovered, with costs, in the corporate name of the city of Harrisburg, in the same manner as debts of like amount are

recoverable, the one-half for the use of the person who shall give the information, and the other half for the use of the city; and if any person against whom such judgment shall be rendered shall neglect or refuse to pay the amount of such judgment, and no goods or chattels of such person can be found whereof to levy the same by execution, then such person or persons shall be committed to the jail of the county where he shall have been tried and convicted, for any period not less than six nor more than thirty days, at the discretion of the justice rendering such judgment, and shall, moreover, remain liable for the full amount of damages to the said city, in any other action instituted by the city, and shall, moreover, be subject to indictment for the same.

SECTION 12. That for the purpose of paying the bonded debt of the city of Harrisburg, the common council of said city are hereby required to increase the water rents of said city thirty per centum, and set apart twenty-five per centum of the annual gross receipts from said water rents as a fund to be applied to the payment of the outstanding bonded debt of said city and in said payment priority shall be given to bonds in the order in which they are due or shall become due; and the said common council shall make the said payments on the first day of January and July of each year, receiving proposals for purchase of the bonds to be redeemed by public notice. The sum of twenty-five per centum provided to be set apart shall be applied to the purchase of bonds, as required by existing laws.

Council to increase water rents, and set apart portions of receipts to pay debt.

How and when bonds to be paid.

SECTION 13. For the purpose of providing a fund for the payment of the interest on the loans of the city of Harrisburg, authority is hereby vested in the common council of said city to levy and assess an additional three mills on the dollar of taxation on all property in said city subject to taxation for state and county purposes, and said tax, when collected, shall be applied only to the payment of interest on said loans.

May levy additional tax to pay interest on loans.

SECTION 14. The corporation of the city of Harrisburg, be and it is hereby authorized to borrow two hundred and fifty thousand dollars, and issue bonds having thirty years to run, redeemable at the pleasure of said corporation after ten years, and bearing six per centum interest payable half yearly on the first days of January and July in each year, and they shall each be signed by the mayor, countersigned by the controller and sealed with the corporate seal of said city.

City authorized to borrow \$250 000, and issue bonds.

SECTION 15. When any bonds shall have been executed in pursuance of the foregoing authority, the same shall be sold at not less than par, in such manner as the said common council shall direct, and the moneys received therefor shall be appropriated as herein provided.

Sale of bonds.

SECTION 16. That all bonds issued in pursuance of this act shall be a legal investment for all moneys held by any person or corporation in a fiduciary capacity, and be exempted from county and local taxation.

A legal investment for trust funds.

SECTION 17. The two hundred and fifty thousand dollars hereby authorized to be borrowed by said city of Harrisburg

How borrowed money to be expended.

shall be expended as follows: one hundred thousand dollars shall be applied to the further progress of the water works, in the year one thousand eight hundred and seventy-three, and twenty-five thousand dollars to the payment of orders issued by said city previous to one thousand eight hundred and seventy-three; one hundred thousand dollars for the completion of the water works, in the year one thousand eight hundred and seventy-four, and twenty-five thousand thousand dollars shall be applied in the years one thousand eight hundred and seventy-three, and one thousand eight hundred and seventy-four to the purchase or erection of a building suitable for the accommodation of the city council and all city offices, including a lock-up for persons under arrest for offences against the good order and peace of said city.

Additional fine on persons committed to lock-up.

SECTION 18. For the purpose of defraying the expenses incident to a lock-up, every person incarcerated therein, in addition to the fines provided by law, to be paid to the mayor or other committing magistrate, shall pay the sum of twenty cents, to be collected with and included in any bill of costs made before any magistrate aforesaid; and all collections under this provision shall be paid into the city treasury, on the first Monday of each and every month, under a penalty of five dollars for each neglect to do so, to be collected as city fines and debts are now recoverable by law.

How vacancies in board of health to be filled.

Board to establish regulations, &c.

How expenses to be paid.

Council may change names of alleys.

Place of holding elections in Eighth ward, changed.

How expenses of paving street intersections to be borne.

SECTION 19. That so much of the act creating the board of health of the city of Harrisburg as requires the common council of said city to elect annually four members of said board, is hereby repealed; and hereafter all vacancies in said board shall be filled by a majority of the remaining members thereof; and the said board of health shall establish such regulations for promoting and preserving the health of the inhabitants, and obtaining information and statistics relative thereto, as they may deem necessary, and to provide all the books, blanks, et cetera, and cause to be inflicted such fines for non-compliance with their rules as they may deem proper, and shall appoint a secretary and agents to enforce the regulations of the board. The expenses caused by said board in carrying out the objects of their appointment, shall be paid out of the city treasury upon requisitions made upon the treasurer by the board by resolutions thereof.

SECTION 20. That council shall have power by ordinance, to change the name of any alley in said city, whenever a majority of the owners of property on said alley shall petition for such change.

SECTION 21. That the place of holding elections in the Eighth ward of the city of Harrisburg, is hereby changed to the State street market house, instead of the place now fixed by law.

SECTION 22. That in all paving of streets, under the provisions of an act relating to water pipe, sewerage, paving streets and assessments in the city of Harrisburg, approved third day of May, Anno Domini one thousand eight hundred and seventy-one, the expense of paving the intersections of streets shall be borne by the city.

SECTION 23. All laws or parts of laws relative to the city of ^{Repeal.} Harrisburg, in conflict with this, be and the same are hereby repealed.

APPROVED—The 5th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 582.

An Act

To authorize the auditors of Menno township, in the county of Mifflin, to open and re-audit the account of moneys paid and taxes collected for filling the quota of said township, for draft during the late rebellion.

SECTION 1. *Be it enacted, &c.*, That the auditors of Menno township, in the county of Mifflin, are hereby authorized to open and re-audit the account and settlement of the moneys paid, expenses incurred and taxes collected, for the purpose of filling the quota of said township of Menno, for soldiers furnished and put into the service of the United States, to fill the quota of said township for the draft made for recruits, in the year eighteen hundred and sixty-four, (1864,) and they are hereby authorized to re-audit, re-adjust and re-settle the said account with Jacob Zerby and the other members of the recruiting committee of said township, and settle and state an account, with each of the members of said committee, for expenses incurred, moneys expended and received by them or either of them, for said purpose, and report a statement and settlement of the amount due to or owing by each of the members of said committee, with interest, and file and publish their account, according to law: *Provided*, That there shall be the same right to appeal from the said settlement as is now provided by law.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 583.

An Act

To grant an annuity for the relief of E. L. Drake and wife.

WHEREAS, E. L. Drake, a citizen of this commonwealth, ^{Preamble} did, in the years one thousand eight hundred and fifty-eight,

and one thousand eight hundred and fifty-nine, search for and discover large quantities of petroleum in this commonwealth, which discovery has greatly stimulated various industries, and has also added directly to the revenues of the commonwealth more than one million dollars since the discovery, and which also continues to yield directly to the said revenues a large sum annually :

And whereas, The said E. L. Drake expended large sums of money in prosecuting his search for petroleum, and by reason of disaster to his fortune and unfortunate loss of health in the labor and exposure of the said search for petroleum he was not able to derive any benefit from his discovery, but is now in indigent circumstances and helpless from disease and therefore unable to provide for the wants of his family, consisting of a wife and four children ; now therefore,

Annuity granted.

SECTION 1. *Be it enacted, &c.,* That an annuity of fifteen hundred dollars be and the same is hereby granted to the said E. L. Drake for and during the time of his natural life ; and that from and after the death of said Drake, in case his wife shall survive him, the sum of fifteen hundred dollars per annum shall be paid to her so long as she shall remain his widow.

State treasurer to pay same.

SECTION 2. That the treasurer of the commonwealth be and he is hereby authorized and directed to pay to the said E. L. Drake, or to his order, or to his widow, or her order, in the event of the death of the said Drake, in equal semi-annual payments, the above mentioned sum, the first semi-annual payment to be made on the thirtieth day of May, Anno Domini one thousand eight hundred and seventy-three.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 584

A Further Supplement

To an act, entitled "An Act to incorporate the Philadelphia Telegraph Company," approved the tenth day of February, Anno Domini one thousand eight hundred and seventy, changing the name and confirming the organization thereof.

Name changed.

SECTION 1. *Be it enacted, &c.,* That the name of the said company shall be and the same is hereby changed from the Philadelphia Telegraph Company to American District Telegraph Company of Philadelphia, and under this name the charter or act of incorporation of said company, with the supplements thereto, and its organization and proceedings in continuance thereof, are hereby ratified and confirmed.

Organization confirmed.

SECTION 2. The said company shall have power, from time to time, to increase the number of its directors from five to any number not exceeding thirteen in all, as the stockholders may determine.

May increase
number of direc-
tors.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 585.

A Supplement

To an act, entitled "An Act to authorize the governor to incorporate a company to erect a toll bridge over the river Susquehanna, at Pittston ferry, Luzerne county," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and forty-four, extending to the said Pittston Ferry Bridge Company the provisions of the sixth section of an act, entitled "An Act regulating bridge companies," approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, and providing for the collection of judgments in favor of said company for the penalty or penalties in the said sixth section mentioned.

SECTION 1. *Be it enacted, &c.,* That all and singular the provisions of the sixth section of an act, entitled "An Act regulating bridge companies," approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby extended to the said Pittston Ferry Bridge Company, with like force and effect as though the said section had been inserted in and formed part of the original charter of said company.

Sixth section of
general bridge law
extended to.

SECTION 2. That on and after the passage of this act it shall be the duty of the said Pittston Ferry Bridge Company to light said bridge by at least five good lamps, of the capacity of ordinary street lamps, from dusk of the evening till dawn of the following day; and any failure to comply with this provision, or to keep said bridge properly lighted, shall be punished by a fine of not less than five dollars for each and every offence, to be collected in the same manner as other debts are now collected by law, and when so collected to be paid by the alderman or justice of the peace before whom judgment is had to the school directors of Pittston borough, for the use of school purposes.

To light bridge at
night.

Penalty for
neglect.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 586.

A Further Supplement

To the act for the further regulation of boroughs in Clearfield county

Councilmen, election of, &c.

SECTION 1. *Be it enacted, &c.*, That the town council in each of the boroughs in the county of Clearfield shall consist of six members who shall hold their offices for a period of two years, and three thereof shall be elected annually, and each qualified elector may cast one vote and no more for each of two persons or one vote for one person as he may see fit, and all ballots containing more than two names or having cumulative votes thereon shall be rejected: *Provided*, That the terms of office of all councilmen now in office in said boroughs shall cease at the next municipal or corporate election therein, and the qualified electors shall in the manner hereinbefore provided elect three councilmen to serve two years and three councilmen to serve one year.

Additional powers conferred on chief burgess.

SECTION 2. The chief burgess when elected in each of said boroughs shall in addition to the powers he now possesses be a member of the town council and entitled to vote upon all questions that may come before the council; he shall appoint all committees of councils required by ordinances, resolutions or by-laws, and in addition thereto shall have all the powers given by the act, entitled An Act, approved April third, Anno Domini one thousand eight hundred and fifty-one, and its several supplements; and all of the said acts of assembly and their provisions, except when altered or supplied by this act, are hereby made applicable to the said boroughs as fully as if re-enacted herein.

Power to borrow money not to be exercised without approval of court.

SECTION 3. That no power to borrow money heretofore granted to the corporate authority of any of said boroughs or existing under general laws, shall be exercised without the approval of the court of quarter sessions of Clearfield county, of the terms, rate of interest, amount of said loan and the purpose for which the same is to be created; and such approval shall only be given by the said court when a majority of the qualified electors of the proper borough and a majority in amount of the taxpayers thereof, residents within the borough, shall petition for the approval aforesaid; and any bond or certificate of indebtedness hereafter issued without such approval shall be void and of no binding obligation upon said borough.

When approval to be given.

Bonds issued without such approval, void.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 587.

An Act

To authorize the appointment of a stenographic reporter for the Sixth judicial district of this commonwealth.

SECTION 1. *Be it enacted, &c.*, That upon the petition of a majority of the acting members of the bar in any county in the Sixth judicial district of this commonwealth, the president judge of the said district is hereby authorized and directed to appoint a stenographic reporter for each or all of the several courts held in said county, who shall be duly sworn as an officer of said court, and whose duty it shall be to attend in court during the trial of all causes, and accurately take down and record the testimony of witnesses examined, noting exceptions thereto, and also the charge of the court, and the record so made shall constitute a part of the records of said court.

Appointment authorized.

To be sworn.
His duties.

Record made to constitute part of court records.

SECTION 2. That the compensation for the services of said stenographer, so appointed, shall be ten dollars per day for every day he is in attendance upon said courts, the same to be paid out of the treasury of the county in which said courts are held, upon proper warrants, duly signed by the president and judge of said district.

Compensation.

SECTION 3. That whenever a copy shall be desired by counsel of the testimony or charge taken on the trial of a cause, it shall be the duty of said stenographer to furnish the same at a charge not exceeding ten cents per hundred words, the same to be paid by the party so ordering it.

To furnish copies of testimony and charge to jury.

SECTION 4. That said stenographer, so appointed, shall have authority to employ an assistant or assistants at his own expense.

May employ assistants.

SECTION 5. That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Repeal.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 588.

A Supplement

To an act regulating the election of burgess and town council of the boroughs of Indiana and Brookville, fixing their terms of office and increasing their powers, extending the same to the borough of Punxsutawney, county of Jefferson.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act regulating the election of burgess and town council of the

boroughs of Indiana and Brookville, fixing their terms of office and increasing their powers, approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to the borough of Punxsutawney, county of Jefferson.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 589.

An Act

To authorize the United States Life Insurance Co., in the city of New York, to purchase real estate in the cities of Pittsburg and Philadelphia, Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the United States Life Insurance Co., in the city of New York, to purchase, hold and convey real estate within the cities of Pittsburg and Philadelphia, in this commonwealth, for the purpose of its business: *Provided nevertheless*, That the value of such property shall not exceed the sum of two millions of dollars, (\$2,000,000:) *Provided*, Said company shall not own or hold under the provisions of this act more land than is necessary for the erection of their buildings thereon.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 590.

A Supplement

To the act to enable the school directors of the Sixth ward, Allegheny, in the county of Allegheny, to borrow money, approved the eighteenth day of April, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted, &c.*, That the school directors of the Sixth ward, of the city of Allegheny, in the county of Allegheny, be and they are hereby authorized and empowered to borrow an additional amount of money, not exceeding the sum of twenty thousand dollars, (\$20,000,) for a term of years, not exceeding twenty years, and to issue bonds

or certificates of indebtedness therefor, in sums of not less than one hundred dollars each, bearing interest at the rate of eight per centum per annum, said bonds or certificates to be executed by the president of the board, and countersigned by the secretary; and shall be exempt from taxation under the laws of this commonwealth, except for state purposes: *Provided*, That all loans so made, shall be applied exclusively to the payment of the indebtedness incurred in the purchase of the ground, and the completion and furnishing of the building being erected thereon, for use of the public schools of the said ward: *Provided*, That before exercising the privileges of this section, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 591.

An Act

To pay J. Dennis James for lumber and quarters furnished troops raised for suppressing the rebellion.

WHEREAS, The officers engaged in raising troops for the suppression of the rebellion were often obliged to become personally responsible for quarters and transportation:

And whereas, Their remain unpaid claims so contracted which such officers ought in justice to be relieved from the payment of the same.

SECTION 1. *Be it enacted, &c.*, That the auditor general be authorized and required to justly and equitably settle the claim of J. Dennis James, for lumber used in the construction of transportation boats, and for drill-room and quarters of company D., Forty-second regiment, Pennsylvania reserves, and also for drill-room of company H., Thirty-ninth regiment, Pennsylvania reserves, in the year one thousand eight hundred and sixty-one, and report the same to the next legislature.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 592.

An Act

In reference to the pay of surveyors, as witnesses, in Clearfield and Centre counties.

SECTION 1. *Be it enacted, &c.,* That the provisions of the act of this general assembly, entitled "An Act to increase the fees of surveyors attending as witnesses in the several courts of Allegheny county," approved April seventh, one thousand eight hundred and seventy, be and the same are hereby extended to surveyors called and subpoenaed as witnesses in the courts of Clearfield and Centre counties.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 593.

An Act

To extend the time of John Dowling, collector of school taxes in the school district of Mahonoy township, in the county of Schuylkill, to make returns.

WHEREAS, John Dowling, collector of school taxes for the school district of Mahonoy township, in the county of Schuylkill, has been prevented from sickness from making his returns within the time allowed by law of uncollected taxes for the year Anno Domini eighteen hundred and seventy-two; therefore,

SECTION 1. *Be it enacted, &c.,* That it shall be lawful for the commissioners of Schuylkill county to receive the returns of said collector of school taxes within thirty days from and after the passage and approval of this act.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 594.

An Act

To repeal an act authorizing the laying of special road tax in the borough of New Washing, in the county of Clearfield.

SECTION 1. *Be it enacted, &c.,* That the act authorizing the laying of a special road tax in the borough of New Washington, county of Clearfield, approved the ninth day of March, Anno Domini one thousand eight hundred and sixty-five, be and the same is hereby repealed.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No 595

An Act

To prevent the running at large of horses, cattle, sheep and swine, in the townships of Rostraver and Sewickley, in the county of Westmoreland.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, it shall be unlawful for the owner or possessor of horses, cattle, sheep or swine, to allow the same, or either, to run at large in the public roads or highways in the townships of Rostraver and Sewickley, in the county of Westmoreland.

Certain animals prohibited from running at large.

SECTION 2. That any resident of said townships, shall have power and authority to take up, as trays, any horse, cattle, sheep or swine found so running at large, and shall be entitled to receive from the owner or possessor thereof, the sum of two dollars for each estray thus found running at large, and fifty cents per day for each day in which such animal or animals remain in his custody, and on refusal to pay said sum, to sell the same at public outcry, on ten days' written or printed notice, given in three or more public places, refunding the balance, after payment of all costs, to the said owner or possessor: *Provided however,* That this act shall not apply to any of said animals that may have accidentally escaped from their enclosure: *And provided,* That the owner or possessor of one horse or cow or sheep or hog, shall be liable to the provisions of this act.

Residents may take up same as strays.

Allowance to.

When to be sold.

SECTION 3. All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 596.

An Act

To provide for the appointment of mercantile appraisers in the city of Philadelphia, defining the duties of the same, and constituting a board of appeal.

Appointment of
mercantile ap-
praisers provided
for.

SECTION 1. *Be it enacted, &c.,* That the treasurer of the commonwealth and the treasurer of the city of Philadelphia are hereby authorized, empowered and required, to appoint, on or before the first day of November, Anno Domini one thousand eight hundred and seventy-three, five suitably qualified citizens of the city Philadelphia, all of whom shall not be of the same political party, who shall be styled the appraisers of mercantile taxes, and the term of office of said appraisers shall be for three years from date of appointment.

Term of office.

Duties and powers.

SECTION 2. In addition to the duties and powers conferred by law upon appraisers of mercantile taxes, they shall make a certified list of all hotel, tavern, inn or saloon keepers who sell liquor, with a statement of the amount of annual sales made by each, and shall have power to administer an oath or affirmation, and to interrogate, where they have reason to believe that an under-statement of sales has been made; and for such service the said appraisers shall receive from each liquor dealer the sum of one dollar.

Board of appeal
constituted

SECTION 3. That in all cases where any difference shall arise between the classification by the city commissioners and the mercantile appraisers, the dealer so affected shall have the right of appeal to the state treasurer and the treasurer of the city of Philadelphia, who are hereby constituted a board for that purpose, and who will sit in said city at stated times to hear such appeals.

Section five of act
of April 5, 1861,
amended.

SECTION 4. That section five of act of assembly approved April fifth, one thousand eight hundred and sixty-one, entitled "An Act supplementary to an act to regulate the sale of intoxicating liquors," approved April twentieth, one thousand eight hundred and fifty-eight, be amended to read "after the first day of June," instead of "after the first day of July."

Repeal.

SECTION 5. All acts or parts of acts inconsistent with the foregoing are hereby repealed.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 597.

A Further Supplement

To an act providing for the introduction of water into the borough of Lebanon, approved the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted, &c.*, That the burgess and council of the said borough of Lebanon, are hereby authorized and required to levy and assess yearly, and every year, a tax, to be called a frontage tax, upon the owner or occupier of any lots having any building or buildings fronting on streets in the said borough, through which said streets water mains are or shall be hereafter laid, and also upon lots on such streets upon which there is no building erected or builded; and that the said burgess and council shall have full power and authority to collect the said frontage tax in the same manner that borough tax in said borough is now collected, giving said authorities the right to make such abatements and additions, not exceeding ten per centum on the dollar, of tax and exonerations, as to them may seem just and reasonable: *Provided*, That such frontage tax shall not exceed the sum of ten dollars on each building or tenement house not exceeding eighteen feet front, and a proportionate rate per foot front of buildings or tenements in excess of eighteen feet, and one-half these rates on vacant lots or unbuilt portions of lots located on streets in said borough where water mains are or shall hereafter be laid.

Burgess and council to levy and collect frontage tax.

SECTION 2. That the said burgess and council shall have authority to levy and assess yearly, and every year, a tax to be called a protection tax, upon the owners and occupiers of any building or buildings in said borough of Lebanon, situate on streets in which no water mains are now laid, such building or buildings being within a distance of five hundred feet from where a fire-plug is situated or shall hereafter be situated; that the authorities of said borough shall have power and authority to collect said protection tax, as other taxes in said borough are collected; and they shall have the right to make such abatements and additions, not exceeding ten per centum on the dollar of tax and exonerations, as to them may seem just and reasonable: *Provided*, The said protection tax shall not exceed the sum of five mills on the dollar of the valuation and assessment of said property so situated as aforesaid.

May levy and collect protection tax.

SECTION 3. That no frontage or protection tax shall be assessed and collected upon any building or tenement where the owner or occupier of said building or tenement shall take and use the water of the said borough, paying therefor to said borough a yearly water rent of not less than five dollars, so long as the water is taken and the yearly rent paid therefor.

When such taxes not to be levied and collected.

How moneys arising from taxes to be applied.

SECTION 4. That the amount of money assessed and collected by virtue of this further supplement shall be applied by the said authorities, and they are hereby required to apply the same, to the payment of the interest upon the water bonds of said borough not otherwise provided for, to the payment of the expenses of keeping up the water works of said borough, and the balance, if any, to be paid into the sinking fund for the redemption of water bonds, as provided by section one of a further supplement to the act, entitled "An Act providing for the introduction of water into the borough of Lebanon," approved March thirtieth, Anno Domini eighteen hundred and seventy-two.

Water funds to be kept separate and not misapplied.

SECTION 5. That all moneys arising from taxation for water purposes, and all revenues arising from the water works of said borough, shall be kept separate and apart from the other funds of said borough, and it shall be unlawful for the same or any part of said water funds to be applied to any other use or purpose than that prescribed by law; and any violation of this provision shall subject the persons so offending to prosecution for a misdemeanor, and upon conviction to the imposition of a fine not exceeding one thousand dollars, or imprisonment not exceeding two years, or either or both, at the discretion of the court.

Penalty for violating section.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 598.

An Act

To enable the school directors of Delaware county to establish and maintain one or more high schools within their county limits.

Preamble.

WHEREAS, By the school laws of Pennsylvania it is made the duty of directors and controllers to establish a sufficient number of common schools for the education of every individual above the age of six and under twenty-one years, in their respective districts, et cetera:

And whereas, By said school laws it is declared that the directors and controllers of the respective districts shall have power to establish schools of different grades, and to determine into which school each pupil shall be admitted.

Superintendent to call meeting of directors upon request made.

SECTION 1. *Be it enacted, &c.*, That whenever any five directors in Delaware county shall request, in writing, the county superintendent of common schools to call a meeting of the directors of the several school districts of said county, for the purpose of considering the question of establishing one or more high schools within their county limits, it shall be his

duty to do so as soon thereafter as may be possible, at some convenient and accessible place within the county limits.

SECTION 2. That whenever the directors or controllers of the several school districts in said county, by vote of not less than two-thirds of the number present, shall, at a meeting thus convened, deem it necessary or expedient to establish one or more high schools within their county limits, they shall elect from their number a board of control for such schools, which shall consist of one member from each separate school district, and which shall be entitled the board of control of county high schools.

Election of board of control.

SECTION 3. That said board of control shall, immediately after its first organization, divide the members thereof by lot into three classes, one of which shall retire from office at the end of one year from the first day of the following July, and at the end of two years, and one at the end of three years from the same date. The directors and controllers of the school districts represented by the retiring members shall elect, on or before the second Monday in June, of each year, new members for three years from the first day of the following July, to fill the vacancies thus occurring, and should there occur a vacancy by death, resignation or removal, the directors of the districts whose representation is thus impaired shall immediately thereafter proceed to elect a suitable person to fill said vacancy.

Classification of members of board.

Election of members to supply vacancies.

SECTION 4. That said board of control shall be and hereby is empowered to solicit and receive contributions in money and grants of land from private citizens, and from townships, borough and state authorities, for the purpose of erecting and maintaining as many high schools as the wants of the county may require, and if the whole amount needed for such purposes cannot be obtained in this manner, then they shall collect such additional sum by taxation, in the following manner, to wit: They shall annually, and by vote of not less than a majority of their number, determine what additional amount will be required for the high school or schools in operation or to be erected during the ensuing school year, and transmit a detailed statement of the same to the several boards of county commissioners, who shall proceed to levy and collect the same in the same manner as they are now authorized by law to do other taxes for school purposes, and pay the same over to the proper officers of the board of control.

Board authorized to solicit and receive contributions.

When and how tax to be levied.

SECTION 5. That said board of control shall exercise the same powers and functions and be subject to the same rules and restrictions for the benefit of the high school or schools under their charge for the whole county, as are exercised by the directors or controllers of each school district for the benefit of the schools under their charge.

Powers, &c., of board.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 599.

An Act

To incorporate the Meadville Real Estate Savings Bank.

Corporators.	SECTION 1. <i>Be it enacted, &c.,</i> That William Davis, A. S. Dickson, G. Wallace Delamater, James M. Miller, John Brown, T. Albert Delamater, L. W. Thickston and C. M. Wood, and all other persons who shall be hereafter stockholders in the company incorporated, shall be a body corporate by the name of the Meadville Real Estate Savings Bank, and by that name shall have perpetual succession, and may sue and be sued in any court whatever, may have a common seal, and may renew and alter the same; also may have the right to hold real estate necessary for the transaction of their business, and the same to improve or dispose of at pleasure; also the right to invest its funds in United States and state bonds, and in good and valuable securities, deemed appropriate and safe, at legal rates.
Name.	
Powers and privileges.	
Purposes.	SECTION 2. That the purposes of this act are to organize an incorporated company, and to authorize it as such to receive and hold on deposit and in trust, estate, real and personal, including the notes, bonds, obligations and accounts of states and individuals, companies and corporations, and the same to purchase, collect, adjust and settle, and also to sell and dispose thereof in any market of the United States or elsewhere, for such price, upon such legal terms and at such times as may be agreed upon between such corporation and the parties contracting with it; and the said corporation is also hereby authorized and empowered to act as agent for the purpose of issuing or countersigning the certificates, bonds, or other obligations of any corporation, association, municipality, state or public authority; and also to accept and execute any trust not inconsistent with the laws of this state, and to receive upon deposit for safe-keeping, jewelry, plate, stock certificates, bonds, mortgages, wills, insurance policies, agreements and valuable property of any kind, upon terms to be prescribed by the by-laws of said corporation: <i>Provided,</i> That nothing herein contained shall authorize the said corporation to engage in the business of banking, but said corporation may receive on deposit from all persons who shall offer the same, any sum or sums of money not less than one dollar, and transact any other business transacted by such corporations in this commonwealth, and receive and become the depository of all trusts and such other funds as may be paid into or be under the control of the several courts of this state and the laws of the same: <i>Provided,</i> The said courts shall be satisfied of the security of the said depository; such deposits to be paid to such depositors, with interest at such legal rate as may be fixed by the directors, in lawful money, national bank note or notes of banks incorporated in this state, at par,
Business.	
Payment of deposits.	

in sums not less than one dollar, when required during business hours; that deposits by married women and minors may be repaid to them, and such re-payments made upon their order, checks or receipts, shall discharge said corporation from any further claim for the same; any deposits so made by married women or minors shall not at any time be subject to the claim or demand of, or payable to the husband of said married woman or to the parents or guardian of such minor.

Deposits by minors and married women.

SECTION 3. That said corporation is authorized to take, have, hold and enjoy all such estates, real, personal or mixed, as may be necessary for the transaction of their business, together with such other real estate as they may find necessary to purchase, at judicial sale or otherwise, to secure debts or claims due or to fall due to them, and the same to grant, mortgage, sell, lease, improve and dispose of; also to make, have and use a common seal, and the same to alter or renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of this state, or of the United States, or this charter; also to hold all moneys and funds that may come into their possession in the course of their dealings and business, and may make such loans and investments of its moneys, funds and securities, upon such securities and for such considerations, as it may deem advisable and safe; the interest of loans to be in conformity with the general laws of this commonwealth; and that, in all cases of loans upon real estate, the expenses of searches, examination of certificates, and recording papers, shall be paid by the borrower.

Further privileges.

Interest on loans.

Expenses of searches, &c.

Capital stock.

SECTION 4. The capital stock of said corporation shall consist of five hundred shares, of the value of one hundred dollars each, with the privilege of increasing the same, from time to time, by a vote of the stockholders, at an annual special meeting or meetings, to any number not exceeding five thousand shares, of the like value per share; and when the capital stock is so increased the stockholders at that time shall have the right to take the shares authorized by such increase; and the incorporators, or a majority of them, named in the first section of this act, shall have power to open books for subscriptions, at such time and in such place or places as they may deem expedient; and when not less than five hundred shares have been subscribed, and fifty per centum thereon shall have been paid, the stockholders may elect five directors to serve until the next annual election, or until their successors shall have been elected and qualified as directors; and the directors so elected of said company, when it shall have been organized, may and they are hereby authorized and empowered to have and to exercise, in behalf of the corporation, all the rights and privileges which are hereby intended to be given: *Provided further*, That the balance shall be paid on said stock within one year after such organization.

Subscriptions.

Election of directors.

When stock to be paid in.

Office.

Annual election.

SECTION 5. The office of the said company shall be in the city of Meadville, in the county of Crawford, Pennsylvania.

SECTION 6. The directors shall be elected annually by the stockholders, on the second Wednesday of June in each year,

Officers and agents.	or at such other time as may be fixed by the by-laws; and said directors shall elect from their number a president, and may elect a vice president, and shall have power to appoint or elect a treasurer or cashier, and secretary or clerk, and
Vacancies.	appoint such other officers, clerks and agents, as the business of the company may require, and to remove them, or any of them, at pleasure, and may fill any vacancies either in the board of directors or of such officers or agents. All elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him; but no person shall be eligible as a director who is not a stockholder to the amount of twenty shares. At the annual or special meeting a quorum shall consist of stockholders, present or represented by proxy, owning not less than one-half of the capital stock.
Votes.	
Eligibility to office of director.	
Quorum.	
Notice of elections.	SECTION 7. Ten days' notice shall be given, by publication in a paper published in the county of Crawford, state of Pennsylvania, of the time and place of the annual election, which election shall be conducted by three stockholders not at the time directors, one of whom shall act as judge and the other two as inspectors.
How conducted.	
By-laws.	SECTION 8. The board of directors shall make all by-laws necessary for conducting the business of the corporation, which by-laws shall at all times be accessible to all parties transacting business with it. The directors shall have power to require the payment of the amount remaining unpaid on the stock of said corporation at such times within the year aforesaid, and in such proportions as they may think proper, and under the penalty, in case of non-payment as required, of forfeiture to the corporation of such stock and all previous payments thereon; the said assessments to be made as the by-laws of said company may direct; and they may regulate and from time to time fix the rate of interest to be allowed on deposits, but not to exceed legal rates, till otherwise arranged by them, and determine in their by-laws that interest shall not be allowed a depositor until his deposit shall amount to five dollars; that the interest shall be calculated by calendar months only, and no interest be allowed for the fraction of a month; and it shall be the duty of the directors, on the first Monday in January and July, or at such other times as they may for the time have fixed in their by-laws, to make and declare from the net proceeds and profits of the business of said corporation, a dividend of so much thereof as they may deem proper, and the same to pay over to the stockholders or their legal representatives within ten days.
Payment of amounts remaining unpaid on stock.	
Interest on deposits.	
Dividends.	
Bonus and taxes.	SECTION 9. This corporation shall be subject to the payment of such bonus and to such taxes as are now or may be required by law. This charter shall continue for twenty years, but the Legislature reserves the right to revoke, annul or alter the same at any time when it shall be deemed necessary for the public good: <i>Provided however</i> , That no injustice shall be done to the stockholders.
Limitation.	
Reservation.	
Liability of stockholders.	SECTION 10. The stockholders shall be personally liable, in double the amount of stock subscribed for or held by them

respectively, for the performance of the trusts and undertakings of said corporation and to its depositors and creditors.

SECTION 11. That the directors shall have power by their by-laws to prescribe the form of certificate to be issued to stockholders and also to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, and the method of filing vacancies in the board of directors, the qualification of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe, but the whole number of the directors shall at no time exceed seven.

Directors may prescribe form of certificate, mode of electing directors &c.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 600.

A Supplement

To an act, entitled "An Act to incorporate the Philadelphia Warehouse Company," authorizing the investment of money deposits.

SECTION 1. *Be it enacted, &c.*, That the Philadelphia Warehouse Company be and is hereby authorized to loan, upon mortgages and other securities, the moneys received by it on deposit as fully as if the same were surplus funds or earnings of such company.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 601.

An Act

To repeal the eighth and ninth sections of an act, passed eighteenth of April, one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Pine Hill and Starucca Bridge and Plank Road Company, in Wayne county, relative to floating logs in the Wallinpaupack river or creek, in Wayne and Pike counties, et cetera."

SECTION 1. That the eighth and ninth sections of the act of assembly, of eighteenth of April, one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Pine Island and Starucca Bridge Company, in Wayne county,

relative to floating of logs in the Wallinpaupack river or creek, in Wayne and Pike counties, and relative to the Pittsburgh and Steubenville Railroad Company," be and the same are hereby repealed.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 602.

An Act

To include in the Union school district of Chester and Delaware counties, the farms and lands of Eber Eachus, Edward Baker and Joseph R. Menagh, for school purposes.

Farms included.

SECTION 1. *Be it enacted, &c.*, That the farms and lands of Eber Eachus, Edward Baker and Joseph R. Menagh, be and they are hereby included within the Union school district, of Chester and Delaware counties, for school purposes.

Repeal.

SECTION 2. That all acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 603.

An Act

Supplementary to an act, entitled "An Act to incorporate the borough of New Wilmington, in Lawrence county," approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted, &c.*, That the provisos appended to the first and fourth sections of an act, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-three, entitled "An Act to incorporate the borough of New Wilmington, in Lawrence county," are hereby repealed, and the said borough of New Wilmington shall, after passage of this act, be subject in all respects to the general laws of this commonwealth regulating boroughs.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 604.

An Act

To authorize the district attorney of Philadelphia to appoint a detective to aid him in obtaining evidence in murder and other cases of crime.

WHEREAS, In a large city like Philadelphia, great difficulty is experienced by the district attorney for the commonwealth, in procuring evidence in murder cases and other high crimes and misdemeanors ; therefore,

SECTION 1. *Be it enacted, &c.*, That the district attorney of the city and county of Philadelphia is hereby authorized to appoint an officer, in connection with his office, whose duty it shall be to aid the district attorney of said city and county, in obtaining evidence in ail murder cases, and in other cases of high crimes and misdemeanors that occur in said city.

SECTION 2. The said detective officer shall, before entering upon the discharge of his duties, give a bond, to be approved by the said district attorney, in the sum of two thousand dollars, conditioned for the faithful performance of his duty ; and the said detective shall be subject to the order of the said district attorney, and may be removed at his pleasure ; and for his services, the said detective shall receive a salary of fifteen hundred dollars per annum, payable in equal monthly instalments, out of the treasury of the city of Philadelphia, on warrants drawn upon the treasurer of said city by the district attorney aforesaid.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 605.

A Supplement

To the act consolidating the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the mayor of the city of Philadelphia is hereby empowered, immediately upon the passage of this act, to appoint a person learned in the law to sit as a committing magistrate at the Central police station in the said city, during term for which the said mayor shall be elected ; and such person during the term for which he is so appointed shall, in all cases, exercise the powers which any justice of the peace and alderman may exercise within the city

and county of Philadelphia, and all warrants issued by the mayor may be returned before him.

Compensation.

SECTION 2. The said committing magistrate shall receive as compensation for said services, the sum of twenty-five hundred dollars per annum; said compensation to be paid to the said committing magistrate in equal monthly portions, by the treasurer of the said city, on warrants drawn by the mayor thereof.

Duty.

SECTION 3. It shall be the duty of said committing magistrate to attend at said Central police station, at such hours as the mayor may direct, for the purpose of hearing complaints, issuing processes, and performing all other duties incumbent upon him in acting as such committing magistrate.

Further duty.

SECTION 4. It shall be the duty of such committing magistrate, on or before the fifth day of every month in each year, to make to the city controller a statement under oath or affirmation of all fines, forfeitures, penalties, costs and fees received by him at said Central police station, and said statement shall set forth the names of the persons paying said fines, forfeitures, penalties, costs or fees, and the dates of the payment thereof.

Docket.

SECTION 5. The docket of the said committing magistrate shall be kept at the Central police station, and shall always be open to the inspection of the mayor, city controller, city solicitor and his assistants, and committees of council; and the said committing magistrate shall be required to enter regularly therein the respective amounts of moneys received by him in payment of fines, forfeitures, penalties, costs or fees.

To give security

SECTION 6. The said committing magistrate shall give a bond to the city of Philadelphia, (to be approved by the mayor thereof,) with one or more sufficient sureties in the sum of five thousand dollars, conditioned for the faithful return to the city treasurer of all fines, forfeitures, penalties, costs and fees received by him at said police station.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 606.

A Supplement

To an act to regulate the sale of intoxicating liquors in the county of Allegheny, approved the third day of April, Anno Domini eighteen hundred and seventy-two, extending the provisions of the same to the borough of M'Keesport and the township of Mifflin, in said county.

Act extended.

SECTION 1. *Be it enacted, &c.,* That the provisions of an act to regulate the sale of intoxicating liquors in the county of

Allegheny, approved April third, Anno Domini one thousand eight hundred and seventy-two, be and the same are hereby extended to the borough of M'Keesport and to the township of Mifflin, in said county.

SECTION 2. All acts or parts of acts inconsistent with this Repeal. act be and the same are hereby repealed.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 607.

An Act

To repeal part of an act, entitled "An Act relating to roads in Birmingham township, Chester county," approved the ninth day April, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That section three (3) of an act, entitled "An Act relating to roads in Birmingham township, Chester county," approved the ninth day April, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby repealed.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 608.

An Act

To authorize the Philadelphia and Reading Railroad Company to purchase the railroad of the Manufacturers' Railroad Company, to extend the same to Rockville, in the county of Dauphin, and to authorize and empower the board of trustees of the Pennsylvania State Lunatic Hospital to permit the Philadelphia and Reading Railroad Company to locate and construct said extension through the grounds of the Pennsylvania State Lunatic Hospital, near Harrisburg, upon certain conditions.

SECTION 1. *Be it enacted, &c.*, That the Philadelphia and Reading Railroad Company is hereby authorized to purchase from the Manufacturers' Railroad Company, the railroad constructed by the latter company, and to extend the same

Authorized to purchase and extend road.

to a connection with the railroad of the former company, at or near Rockville, in Dauphin county.

Trustees of hospital may permit location of road through hospital grounds.

SECTION 2. That the board of trustees of the Pennsylvania State Lunatic Hospital is hereby authorized and empowered to permit the Reading Railroad Company to locate and extend said railroad, with a double track of railroad, on and through the grounds of the Pennsylvania State Lunatic Hospital, near Harrisburg, at any point not closer than six hundred and fifty feet from the north corner of the hospital building.

To prescribe conditions, &c.

SECTION 3. That the said board is further authorized and empowered to direct and prescribe, by written agreement, with said Philadelphia and Reading Railroad Company, the points, lines and conditions at and on which the said railroad shall be constructed and maintained, and to fix and determine what compensation the said Philadelphia and Reading Railroad Company shall pay to the said hospital for said rights of way : *Provided*, That the Philadelphia and Reading Railroad Company shall not enter said grounds until it has first paid to the said hospital the amount of compensation fixed and determined by said board for the rights of way, and executed the aforesaid agreement in writing, under the seal of the said company, with said board, to observe the points, lines and conditions directed and prescribed by said board, and therein set forth, and said agreement shall have been approved of by the governor: *Provided further*, That if the said railroad company shall at any time hereafter fail to comply with the conditions and stipulations in said agreement contained, it shall forfeit all rights to maintain and continue said road upon said grounds, and it shall be lawful for said board of trustees, and their successors in office, to remove the same.

Proviso.

Proviso.

*Certain provisions applicable to construction of extension, &c.

SECTION 4. That the provisions of the act of the general assembly of this commonwealth, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and of the various supplements thereto, relating to the occupation of lands and materials, the entry of security for damages, the assessment of damages and the appeal therefrom, shall apply to the construction of the said extension, and the assessment of damages resulting therefrom, as to all lands taken therefor other than the lands of said state lunatic asylum.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 609.

A Further Supplement

To an act to incorporate the Modern Life Insurance and Improvement Trust Company of Pittsburg, approved the nineteenth day of May, Anno Domini one thousand eight hundred and seventy one, granting additional franchises, powers and privileges to said company.

SECTION 1. *Be it enacted, &c.,* That it shall and may be lawful for the board of directors of said company to make, alter, amend and enforce at any time, and from time to time, all by-laws that may to the board seem proper, and therein to provide for the election, times, manner of election, the terms of office: *Provided,* That the whole number of directors thereof shall at no time exceed nine; also to provide for the calling in and payment of weekly or monthly instalments on stock; also to provide for the payment and collection of fines (not exceeding five cents per share per week) for the non-payment of said instalments, and for the forfeiture of stock after six weeks failure or neglect to pay any of said instalments falling due thereon, and also to provide for and regulate the transfer of stock imposing terms upon the same: *Provided,* That said stock shall be deemed as personal property, and all indebtedness of stockholders to said company of every kind and nature shall be a first lien upon their said stock; may also provide for the withdrawal of subscriptions to the stock of said company or any part or portion thereof.

Additional powers
conferred on di-
rectors.

SECTION 2. It shall and may be lawful for the board of directors of said company at any time, to issue from time to time, bonds to an amount not exceeding double the amount of its capital stock; said bonds may be of whatever kind and in such sums, to run such length of time and bearing such rate of interest, not exceeding at the rate of seven and three-tenths per cent. per annum, as the board of directors may determine; and said bonds and interest shall be secured by mortgage or mortgages on all its franchises and property, real, personal or mixed, or on any part thereof, as the board of directors may determine; said mortgage or mortgages, when recorded in the recorder's office of the county in which the property may be or is situated, shall be a valid lien upon all the property specified in the same; and the said board of directors are hereby also authorized and empowered to issue the said bonds, or any portion thereof, in payment of any debt or liability heretofore or hereafter incurred in the purchase of any property, real, personal or mixed, or they may sell or dispose of any portion of said bonds on such terms, rates and conditions as may be agreed upon with any party or parties, company or companies, or in the doing of any act or acts authorized by the provisions of this and other supplements, and the act to which this is a supplement: *Provided,* That no bond shall be issued for a less sum than one hundred dollars, nor sold at less than eighty per cent. of its par value.

May issue and dis-
pose of bonds.

Additional powers
conferred on com-
pany.

SECTION 3. Said company shall have full power and authority to purchase, lease, hold, occupy, survey, lay out, subdivide, use, improve, build upon or contract to do the same, any lands, tenements and hereditaments, and all kinds of property, real, personal and mixed; and the same, or any part thereof, from time to time, to sell, assign, transfer, deliver, alien, lease, mortgage, encumber, grant, convey, dispose of, or contract to do the same, as may be deemed expedient by said company; and shall have full power and authority to establish on their property, or any part thereof, or on that in which they are interested, colonies, settlements, villages or assemblies of people: *Provided*, That at no one time shall the said company hold more than three thousand acres of land in this commonwealth; and shall have full power and authority themselves, or by contract, to purchase, lease, hold, construct, build, improve, ornament, lay out, establish, equip, maintain, use, operate, regulate, supervise, open, manage, transfer, sell and assign any works or improvements, of a public or private nature, shops, buildings, machinery, streets, avenues, roads, lawns, alleys, side-walks, greens, parks, commons, sewers, culverts, bridges, artificial waters, railroad or railroads, railway or railways and appurtenances, on, in, upon, through, connecting, or intended to connect, with the lands, colonies, settlements, villages, works and improvements, or any part thereof of said company; and for these purposes, or any part thereof, shall be entitled to all the powers and privileges of any and all general railroad laws of this commonwealth; and also have full power and authority to do and perform such other matters and things as shall be deemed necessary by them in order to fully enjoy, use and carry out the powers and privileges now or hereafter granted to this said company.

Railroad compa-
ny may make special
contracts with.

SECTION 4. It shall be lawful for any railroad or railway company or companies to contract with this said company to transport persons and property, directly or indirectly connected with or interested in the business affairs, colonies, settlements, villages or assemblies of people of this company, at such reduced rates and fares as may be agreed upon, without such railroad or railway company being compelled to extend, give or apply the same or proportionate rates and fares to others; and it shall also be lawful for any married woman or minor, in his or her own name and right, to subscribe for, contract for, lease, own, hold, buy and purchase stock of this said company, or lands and other property, real, personal or mixed, in fee or of less estate, from said company, and the same or any part thereof from time to time to assign, transfer, sell, deliver, alien, lease, mortgage, encumber and dispose of in such manner and to such extent as he or she may desire, in like manner and with like effect as if unmarried or of full age; and it shall be lawful also for said company to take, receive and hold any bond, mortgage or other security, to secure the payment of any balances or indebtedness due to them on account of the sale by them of any property, real, personal or mixed, to any minor, married woman or other person whatsoever, or on any account what-

Married women
and minors may
hold stock.

Company may hold
bonds, &c., to se-
cure payment of
property sold.

soever ; which bonds, mortgages or other securities shall be valid to all intents and purposes.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 610.

An Act

To authorize the erection of a lock-up in the village of Locust Gap, Mount Carmel township, Northumberland county.

SECTION 1. *Be it enacted, &c.,* That the supervisor of Mount Carmel township, in the county of Northumberland, be and he is hereby authorized, empowered and required to furnish materials and build, in the village of Locust Gap, in said township, a suitable building for the security and temporary detention of persons committed by justices of the peace of said township, for any violation of the laws of this commonwealth, and breaches of the peace and good order, for which such person or persons could be lawfully committed to the common jail or prison of said county, there to remain and be kept until such offender or offenders can be removed to the common jail or prison of said county, if committed for an indictable offence: *Provided*, That no person shall be confined in said lock-up or building, at any one time, for a period longer than forty-eight hours, except such person or persons be charged with an indictable offence, and it be necessary to detain such person or persons for a further examination.

Supervisor to
build lock-up.

Confinement in-
limited.

SECTION 2. That the supervisors shall have power to appoint a proper person to keep the said lock-up, and he is hereby empowered to pay such person, for such services, what he may deem just and proper, out of the funds of said township.

Authorized to ap-
point keeper.

SECTION 3. That the justices of the peace of said township of Mount Carmel shall have the same powers and authorities now delegated and given by law to burgesses of boroughs in this commonwealth, to punish, by fine and imprisonment, any violations of the public peace, and particularly drunkenness, obscene language and conduct, hooting, yelling, profanity, violence and abusive language, fighting, fast and improper driving of horses, and acts of like character.

Power of justices
of peace.

SECTION 4. That the judges of the court of common pleas of said county shall appoint four persons to act as police officers for said township, which said officers shall have the same power of arresting now conferred by law upon police officers in the boroughs of this commonwealth, for authority, and detaining offenders against law and good order. The said police officers may be removed and others appointed in their place, at the discretion of said court.

Court to appoint
police officers.

Their powers.

Fines.

SECTION 5. That the fines imposed upon offenders, when collected, shall go to and be paid to the said supervisors of Mount Carmel township, to re-imburse said township for the expense of building, providing and maintaining said lock-up; and the fees of the justices and other officers, under this act, shall be the same as now allowed by law to justices and constables.

Fees.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 611.

A Supplement

To an act incorporating the Little Saw Mill Run Railroad Company, approved April fifteenth, eighteen hundred and fifty.

SECTION 1. *Be it enacted, &c.,* That the Little Saw Mill Run Railroad Company, be and they are hereby authorized and empowered to extend their road to a point in the valley of Painter's run, in Upper St. Clair township, subject to the provisions and restrictions of the general railroad law, so far as the same is not in conflict with their charter, which was approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 612.

A Further Supplement

To the act of assembly incorporating the Real Estate Savings Institution of Pittsburg, approved April twelfth, one thousand eight hundred and sixty-two, (changed to the name of the Real Estate Savings Bank, by act of August twenty-second, one thousand eight hundred and sixty-six,) to authorize the sale, or transfer, by any stockholder, of any deposit in said bank, and to change the manner of voting.

Sale or transfer of deposits.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, nothing contained in the fifth and sixth sections of the act to which this is a further supplement, shall prevent the sale, or transfer, by any stockholder, of any de-

posit in said sections mentioned; nor shall such sale or transfer work a forfeiture of all, or any, rights and interests of said stockholder to any profits or dividends arising therefrom; nor shall it be necessary, to entitle the stockholder to the profits arising from such deposit, that it must be held by the party so depositing, or, in case of death, by his or her descendents or legal representatives, as is now required by said act.

SECTION 2. That at any election held by the stockholders, or any meeting for business, after the passage of this act, each stockholder shall be entitled to one vote for each share of stock held by such stockholder. Votes.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 613.

A Supplement

To an act, entitled "An Act regulating certain sheriffs' fees in the county of Luzerne," approved the sixteenth day of March, Anno Domini one thousand eight hundred and seventy, fixing certain fees of the said county.

SECTION 1. *Be it enacted, &c.*, That the sheriff of the county of Luzerne shall be entitled to receive the sum of ten dollars, and all necessary expenses, for each prisoner conveyed to the penitentiary; also the sum of one dollar for each jury notice served; all of which fees shall be paid and collected as fees of like character are now paid and collected.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 614.

An Act

Relating to the assessment of unseated lands in the county of Luzerne.

SECTION 1. *Be it enacted, &c.*, That for the year one thousand eight hundred and seventy-four, and for each year thereafter, all tracts of land within the county of Luzerne, heretofore assessed in the unseated list shall be assessed and re-

turned in the seated list, designating said tracts either by the warrantees's name or by the owner's names, or by both when the same are known to the assessor.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 615.

An Act

To provide for the construction and maintenance of side-walks, in the township of Glade, Warren county.

Road commissioners to order building of walks.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall be lawful for and is hereby made the duty of the road commissioners of the township of Glade, Warren county, Pennsylvania, to order and direct the owner or owners of all lots or property fronting on any street, road or alley in said township, to construct or build, and keep in repair a good and sufficient side-walk of stone, brick or wood, not less than four feet in width, along the front of all lots or property fronting on any street, road or alley in said township, whenever a petition shall be presented to them praying for the same, signed by a majority of the property owners on any such road, street or alley in said township.

To serve written notice.

SECTION 2. Whenever, under the provisions of this act, it shall become necessary for the said road commissioners to order the building of any side-walk or walks, it shall be the duty of said road commissioners to serve a written notice on the owner or owners of all lots of ground in front of which they are required to build a side-walk, directing and requiring them to build a side-walk in front of their said premises in thirty days after the service of said notice, which notice shall clearly describe the property in front of which they require said walk to be built, and prescribe the width of said walk, which notice shall be served the same as summons are now served, and by any one of the said road commissioners, or by any one ordered or directed by them to make said service; a true copy of which notice, containing a return sworn to by the person making said service, stating how said service was made, and date thereof, shall be filed among the papers and records of said road commissioners.

What notice to contain.

How served

Copy to be filed.

Duty of road commissioners on failure of owners to build walk.

SECTION 3. On the failure of such lot owner or owners to construct said side-walk within thirty days after the service of said notice provided for by this act, it shall be the duty of the said road commissioners to build, or cause said side-walk to be built in conformity with the provisions of this act, and to collect the cost of the work and materials, with ten per centum advance thereon from said owner or owners as claims

are by law recoverable under the provisions of the law relative to mechanics' liens; and the particulars of such labor and materials, the name or names of the actual or reputed owner or owners, as also of the occupier or occupiers of the premises for the time being, shall be set forth in a statement to be filed within thirty days after said expense shall have been incurred.

SECTION 4. It shall be the duty of the said road commissioners of Glade township, to build and construct all necessary cross-walks in said township, the same to be paid for out of the road fund of said township. Cross-walks to be built.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 616.

An Act

To enable the Hyde Park Lodge, number three hundred and thirty-nine, A. Y. M., to borrow money and secure the payment of the same.

SECTION 1. *Be it enacted, &c.,* That the Hyde Park Lodge, number three hundred and thirty-nine, A. Y. M., be and is hereby enabled and empowered to borrow money from various persons, in the aggregate not to exceed ten thousand dollars, for the purpose of building and making improvements on the real estate of the said lodge, situate in the Fourth ward of the city of Scranton, and to pay the indebtedness of the said lodge. Authorized to borrow money

SECTION 2. That to secure the payment of the money that may be borrowed in pursuance of this act, the said lodge may make, execute and issue bonds and mortgages on any and all of the real estate that said lodge may have and hold, or that may be had and held by trustees for the use and benefit of said lodge; said bonds and mortgages shall be signed by the president of the board of trustees of said lodge, and the corporate seal of the said lodge shall be affixed to each by him, and they shall all be attested by the secretary of the board of trustees of said lodge; said mortgage shall be duly acknowledged by the said president of the said board of trustees before the recorder of the mayor's court for the city of Scranton. May execute bonds and mortgages.

SECTION 3. Such bonds and mortgage shall bear interest at such rate as the said trustees or a majority of them shall fix, not exceeding eight per centum per annum on the dollar, and said bonds may be of various denominations of not less than twenty-five nor more than five hundred dollars, the principal of which shall be made payable at various times, none of Rate of interest.

them for a less period than one year nor more than ten years from the first day of April, in the year of our Lord one thousand eight hundred and seventy-three; coupons for the interest shall be attached to the bonds, which interest shall be payable semi-annually from that date.

Coupons to be attached.

Where and to whom bonds, &c., payable.

SECTION 4. Such bonds, and mortgage and coupons shall be made payable at such places as the trustees of said lodge or a majority of them may determine, and shall be made payable to Henry Griffin of the county of Luzerne, and Daniel Howells, of said county, who are hereby made trustees to hold such bonds and mortgage in trust for the use and benefit of such persons who shall lend money to said lodge, and receive such bonds therefor as evidence of the indebtedness of said lodge to them; such bonds shall be numbered, beginning at number one and continuing in regular numerical order; the respective number of said bonds with their times of payment and denominations shall be briefly recited and stated in said mortgage.

How bonds to be numbered.

Bonds and mortgage to be signed at one time.

SECTION 5. Such bonds and mortgage shall be all signed, sealed, affixed, attested and bear date at one time; and before any of the bonds shall be disposed of in any way, the said mortgage shall be duly recorded in the office for recording of deeds in Luzerne county.

Trustees to fix amount of money to be borrowed, &c.

SECTION 6. Before any of the bonds and mortgages shall be made the trustees of said lodge or a majority of them shall, by resolution entered on the books or records of the board of trustees, fix the amount of money to be borrowed by said lodge, the rate of interest therefor, not exceeding eight per centum, the denominations of the bonds to be made and issued, the place and times of their payment.

Disposal of bonds.

SECTION 7. The trustees, or any of them, or any person by them authorized, may dispose of said bonds by borrowing money for said lodge and delivering such bonds to such persons to secure the payment of such loans.

Record to be made.

SECTION 8. Whenever any of said bonds are disposed of as aforesaid, the said lodge shall cause a record to be made of the same, containing the numbers of the bonds, their denomination and the name and residence of the person to whom the same is delivered, which record shall be open to all persons interested therein.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 617.

An Act

To incorporate the Manayunk Insurance Company.

SECTION 1. *Be it enacted, &c.,* That Frederick R. Shelton, David Wallace, James M. Preston, John G. Foulkrod, W. H. Richards, E. Deacon, John R. M'Fetridge, their associates and successors, be and are hereby created and made a body politic and corporate in law and in fact, by the name, style and title of the Manayunk Insurance Company, to be located in Philadelphia, and by that name, style and title shall have the right to have a common seal and to alter or renew the same at pleasure, and by law be capable to sue and be sued, plead and be impleaded, answer and defend in any court of law or of equity, or in any place whatsoever: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained. That the capital stock of said company shall consist of one hundred thousand dollars, divided into shares of one hundred dollars each, with the privilege of increasing the same, from time to time, to an amount not greater than five thousand shares, of the same value each. That the object and purpose of said company shall be that of an insurance company; and said company shall have the right and power and are hereby authorized, to make all insurances and enjoy all other privileges whatsoever, enumerated in the first and second parts of the seventh section of an act, entitled "An Act to provide for the incorporation of insurance companies," approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and in addition thereto shall have the right to make insurance against loss by flood, freshet, inundation, and storm, hail or lightning, and shall have power also to issue policies, in which the insured may participate in the profits arising therefrom in such manner and to such an extent as the directors may by law provide: *Provided*, That nothing contained in this act shall be deemed and considered to authorize the granting of the right and franchise to the company hereby created, to make insurances against loss or damage by fire, or of any other franchise, the right to grant which has been given by act of assembly to the court of common pleas of Philadelphia county, and said court is authorized to give on due application, to said corporation, said right to make any insurance against loss or damage by fire, and when said right shall have been granted, the possession and the right to enjoy the same is hereby confirmed in the same manner as the other franchises conveyed in this act.

SECTION 2. The affairs of said company shall be governed by a president and a board of five directors, who shall be chosen by the stockholders annually, on the first Tuesday in January, and the number of said board may be increased, from

Corporators.

Title.

Powers and privileges.

Misnomer.

Capital stock.

Object and purpose.

Power to make insurances.

Proviso.

President and directors.

Vice president and
executive com-
mittee.

Organization.

Bonus and taxes.

time to time, by a vote of a majority of the stockholders to a number not greater than thirty; and the said board of directors shall have power to select a vice president and an executive committee of such a number as the by-laws shall prescribe, to whom such action shall be intrusted upon such affairs as may be deemed proper. That said company shall not be organized until the capital stock herein provided for shall be subscribed, and the amount of fifty per centum thereon paid in in lawful money of the United States, when on due notice given to each stockholder, an election may be held for officers to serve for the remainder of the ensuing year, or until their successors shall have been duly elected: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 618.

An Act

Relative to allowances for the support of prisoners and other persons in the custody of the sheriff of Northampton county, prior to the year one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted, &c.*, That all payments or allowances made by the commissioners of Northampton county, to the sheriff of said county, prior to the year one thousand eight hundred and sixty-eight, as compensation for boarding prisoners or persons within their custody, not exceeding by computation of the aggregate amount so paid and allowed as aforesaid, to each sheriff, thirty-five cents per diem for each and every such prisoner or person, are hereby declared valid and binding on said county of Northampton.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 619.

An Act

Relating to the office of county surveyor in the county of Luzerne.

WHEREAS, Many of the certificates, warrants, surveys and re-surveys and field-notes, of the several county and deputy surveyors of Luzerne county, are nearly worn out, and liable to be lost and destroyed. Preamble.

And whereas, No books, or other safe place for their preservation, have been kept by the surveyors in said county; therefore,

SECTION 1. *Be it enacted, &c.*, It shall be the duty of the county commissioners of Luzerne county to furnish the county surveyor of said county with suitable books, in which he shall record all certificates, surveys, re-surveys and field-notes of the several county surveyors and deputy surveyors of said county, now on file in the office of the county surveyor; and the said surveyor shall be paid for each certificate, survey, re-survey and field-notes so recorded by him, the fee of fifty cents for each, to be paid by the county treasurer on warrant drawn on him by the said county commissioners, which warrant they are hereby empowered to make. County commissioners to provide books.
Certificates, surveys, &c., to be recorded therein.
Fee therefor.

SECTION 3. All surveys, re-surveys, field-notes and warrants hereafter directed to, or made by the said county surveyor, or his deputy, shall be recorded in said books, which shall be indexed in ready and convenient manner; for the filing and recording of each said surveys, re-surveys, field-notes and warrants, the said surveyor shall receive the fee of one dollar, to be paid before the filing thereof. Surveys, warrants, &c., hereafter made, to be recorded and indexed.
Fee.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 620.

An Act

Supplemental to an act, entitled "An Act to incorporate the Thirteenth and Fifteenth Streets Passenger Railway Company of the city of Philadelphia," regulating the taxation of said company and repealing the eighth section of said act, so far as the same relates to taxation.

SECTION 1. *Be it enacted, &c.*, That the eighth section of the act, entitled "An Act to incorporate the Thirteenth and Fifteenth Streets Passenger Railway Company of the city of Eighth section of act of incorporation, repealed in part.

Philadelphia," passed the eighth day of April, one thousand eight hundred and fifty-nine, be and the same is hereby repealed, so far as it relates to the taxes imposed on said company.

Tax payable to
city on dividends.

SECTION 2. Whenever the dividends declared by the said company shall exceed six per cent. per annum on the par value of the capital stock thereof, a tax of six per cent. on such excess over the six per cent. on the par value thus declared, shall be paid annually into the treasury of the city of Philadelphia.

APPROVED—The 10th day of April, 1873.

J. F. HARTRANFT.

No. 621.

An Act

To vacate a part of Sycamore street, in the Twenty-fourth ward, Philadelphia.

SECTION 1. *Be it enacted, &c.,* That Sycamore street, as laid down on the confirmed plan of the city of Philadelphia, but not opened between the western side of Preston street and the south-eastern side of Lancaster avenue, in the Twenty-fourth ward of the city of Philadelphia, be and the same is hereby vacated.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 622.

An Act

Authorizing and directing that the commissioners of highways of the city of Philadelphia, open Budd street from Bridge street to Powelton avenue, in the Twenty-fourth ward, and to assess the damages thereon.

SECTION 1. *Be it enacted, &c.,* That the commissioners of highways of the city of Philadelphia be and they are hereby directed to have Budd street, from Bridge street to Powelton avenue, in the Twenty-fourth ward, opened as a public high-

way, and the damages, if any, shall be assessed according to law, and immediately upon the report of the jury appointed to assess the damages, the said commissioners of highways shall proceed to open said street.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 623.

An Act

Relating to assessments and returns of assessments of road taxes on unseated lands in the counties of Clinton and Potter.

SECTION 1. *Be it enacted, &c.,* That whenever the proper township officers in any township in the county of Clinton, or the county of Potter, shall omit to lay a rate of assessment on unseated land, for any given year, for road purposes, as provided by the laws of this commonwealth, or shall refuse or omit to make return to the county commissioners of an assessment on unseated lands, of a tax for road purposes, it shall be lawful for, and the duty of the commissioners of the county in which said township shall be situate, on application of any citizen of said township, or owner of any of said unseated lands, by resolution, to adopt, levy and lay as road tax for said year, upon the unseated lands laying and being in said township, the same rate of assessment which was last returned or levied or collected on said unseated lands, for road purposes; and the road tax thus levied and assessed by the county commissioners shall be a lien on said unseated lands, as now provided law in case of taxes on unseated lands, and the same shall be collected as is provided in the act of assembly relating to the sales of unseated lands for taxes, being the act of the thirteenth day of March, Anno Domini one thousand eight hundred and fifteen, and the several supplements thereto.

County commissioner to levy road tax in certain cases.

Tax to be lien.

How to be collected.

SECTION 2. That all laws and parts of laws inconsistent herewith be and the same are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT

No. 624.

An Act

To vacate parts of Second street, Munroe street and High street, in the town of Port Perry, Allegheny county.

SECTION 1. That so much of Second street, in the town of Port Perry, in Allegheny county, as lies between Munroe street and Adams street, and so much of Munroe street produced, (also in said town,) as lies north and east of the Pittsburgh and Connellsville railroad, including also that portion of High street crossed by said Munroe street produced, be and the same are hereby vacated.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 625.

An Act

Authorizing the councils of the city of Reading to regulate the width of Wood street, in said city, between Laurel and Canal.

SECTION 1. *Be it enacted, &c.*, That the councils of the city of Reading are hereby authorized to reduce the width of Wood street, in said city, from Laurel to Canal street, from thirty to twenty feet.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 626.

An Act

Relative to the pay of county auditors of Clearfield county.

SECTION 1. *Be it enacted, &c.*, That the pay of the county auditors of Clearfield county shall be five dollars per day for every day necessarily spent in the discharge of their duties: *Provided*, The time annually spent in discharge of their duties shall not exceed twenty days.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 627.

An Act

Declaring certain acts relating to any railroad company within the borough of Susquehanna Depot, Susquehanna county, to be unlawful.

SECTION 1. *Be it enacted, &c.*, That it shall be unlawful for any person or persons to be found loitering, remaining or congregating in or about the depot, freight house, offices, shops or other buildings, or upon the cars or engines, or on the railroad tracks, yard or other grounds used for railroad purposes, belonging to any railroad company and located within the borough of Susquehanna Depot, and county of Susquehanna, without lawful business.

Loitering about depot, &c., prohibited.

SECTION 2. And it shall and may be lawful to arrest such offender or offenders, and for the burgess of said borough, or any justice of the peace of the county aforesaid, within said borough, to convict such offender or offenders summarily in the same manner as provided by the act of assembly relating to vagrants, passed February twenty-first, Anno Domini one thousand seven hundred and sixty-seven, and thereupon to impose upon any such offender or offenders a fine not exceeding ten dollars and the costs of prosecution; and in case any such offender so convicted as aforesaid shall refuse or neglect to pay the fine so imposed and the costs of prosecution as aforesaid, he shall be committed by the said burgess or justice of the peace imposing the same, to the common jail of the said county for the period of ten days.

Arrest and punishment of offenders.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 628.

An Act

Authorizing the borough of Milton, Northumberland county, to borrow money.

SECTION 1. *Be it enacted, &c.*, That the borough of Milton, in the county of Northumberland, be and they are hereby authorized and empowered to borrow, on the credit of said municipality, any sum or sums of money not exceeding the present borough indebtedness, and to issue coupon bonds or

certificates of indebtedness, under the corporate seal of said municipality, attested by the president and secretary of the town council for the time being, in sums of not less than fifty dollars each, payable at the expiration of ten years, or any shorter period, from the date of issue, bearing interest at a rate not exceeding seven per cent. per annum, which interest shall be payable semi-annually to the holder or holders of such bond or bonds, certificate or certificates; and the said borough of Milton has authority, from time to time, and as often as the same may be necessary, to raise by taxation in the manner pointed out by existing laws for that purpose, such sum or sums of money as may be necessary to pay off the principal and interest on said bond or bonds, certificate or certificates: *Provided*, Not more than one thousand dollars per annum be levied and collected for that purpose: *And provided further*, That such money, when borrowed, shall be appropriated only on the order of the town council of said borough of Milton.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 629.

An Act

To authorize the city of Erie to establish a public park, and to enlarge the city limits of said city.

Authorized to establish park.

SECTION 1. *Be it enacted, &c.*, That the city of Erie is hereby authorized and empowered to purchase, or to accept as a gift, a tract of land for a public park, in Mill Creek township, in the county of Erie, containing not to exceed sixty acres, upon such terms and conditions as may be agreed upon with the person or persons giving or selling such land to said city, and said park shall be subject to all laws, ordinances and regulations now in force in said city: *Provided*, That said park shall be located at a distance not to exceed three hundred rods, eastwardly, from the present eastern limits of said city.

Where to be located.

On petition of property owners, councils may extend city limits.

SECTION 2. That upon the petition of a majority of the owners of the land situated between the city of Erie and the east side of the proposed public park, and between the Lake Shore and Michigan Southern Railroad Company's main line and the public road known as the Lake road, the councils of said city shall have the power to extend the limits of said city, so as to embrace said land, or so much thereof as they may deem for the interest of said city: *Provided*, That the assessments for the purposes of taxation on such property so added to the city, shall be changed for one thousand eight

hundred and seventy-three, and the taxes due and unpaid on said land shall be paid to the township of Mill Creek: *Provided also*, That the land so added shall constitute and be parts of the several wards adjoining the same on the west side.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 630.

An Act

To authorize the commissioners of Perry county to borrow money for the purpose of erecting a bridge over the Juniata river, at Duncan's Island, conjointly with Dauphin county.

SECTION 1. *Be it enacted, &c.*, That the commissioners of the county of Perry be and they are hereby authorized and empowered to borrow, for the purpose of erecting a bridge over the Juniata river, at Duncan's Island, in conjunction with the county of Dauphin, under the provisions of an act of general assembly, passed the twenty-fourth day of March, Anno Domini one thousand eight hundred and seventy-three, on the faith and credit of said county, any sum or sums of money, not exceeding in the whole the sum of nine thousand dollars, and to issue bonds or certificates of indebtedness therefor, under the seal of said county, of not less amount than fifty dollars each, payable at the expiration of ten years, or any shorter period, in the discretion of said commissioners, from the date of issue, at a rate of interest, with or without coupons attached, not exceeding seven per centum per annum, which interest shall be payable annually to the holder or holders of such bonds; and that the bonds or certificates of indebtedness so as aforesaid authorized to be issued, shall be signed by a majority of said commissioners, attested by their clerk and verified by the seal of said county, and shall be exempt from taxation for all local and municipal purposes, and the coupons, if such be attached, shall bear the signature of the clerk of commissioners, and be made payable at the treasury of said county: *Provided*, That when all, or any part of said sum of money so as aforesaid authorized to be borrowed, shall be paid out by the said commissioners, they, the said commissioners, shall pay the same directly to the contractor or contractors erecting said bridge.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 631.

An Act

Authorizing Chambers Templeton, guardian, to improve certain real estate belonging to his wards, Margaret and Susan Breiner, of Mercer county.

SECTION 1. *Be it enacted, &c.,* That the orphans' court of Mercer county, be and is hereby authorized to grant unto Chambers Templeton, guardian of Margaret and Susan Breiner, minor children of Doctor R. E. Breiner, late of the borough of Greenville, Mercer county, deceased, upon his application to said court, authority to make such improvements on a certain lot of ground, situate on Main street, in said borough of Greenville, as to said court may seem conducive to the interest of said wards, and to direct said guardian to apply such portion of the personal property of said wards thereto, as in the judgment of said court may be necessary therefor.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 632.

A Further Supplement

To an act to incorporate the Bucks County Contributionship, for insuring houses and other buildings from loss by fire, approved the second day of April, one thousand eight hundred and eleven.

Election of directors.

SECTION 1. *Be it enacted, &c.,* That so much of the fifth section of said act as relates to the election of directors, be so altered and amended as to provide for the election of nine directors, in the following manner, to-wit: There shall be elected, on the first Monday in May, one thousand eight hundred and seventy-three, by ballot, nine directors, who shall be members of the society, three of which shall serve for three years, three for two years, and three for one year, and on the first Monday in each following year there shall be elected three members, to serve for three years, who shall continue in office until their successors are duly elected.

Repealed.

SECTION 2. That so much of the said act as is inconsistent with this act be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 633.

An Act

Supplementary to an act, approved March sixth, one thousand eight hundred and seventy-three, entitled "An Act supplementary to an act incorporating the borough of Easton, authorizing the town council to borrow money and levy an additional tax, and providing for the collection of taxes."

SECTION 1. *Be it enacted, &c.*, That the bonds and certificates of indebtedness authorized by the act of assembly approved March sixth, one thousand eight hundred and seventy-three, entitled An Act, et cetera, be and the same are hereby declared to be free and exempt from all taxation, except for state purposes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 634.

An Act

Relative to the assessment of machinery in the county of Montgomery.

SECTION 1. *Be it enacted, &c.*, That all assessments hereafter made of any real estate, for the purpose of taxation, machinery in the county of Montgomery, when attached to the same, shall not thereby become liable to such assessment, unless it would be liable in the ownership and possession of any other person or persons than the owner of the real estate; and in the valuation as real estate for the purpose of taxation, proper allowance shall be made for machinery so exempted: *Provided*, That this act shall not take effect during the present triennial assessment.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 635.

A Further Supplement

To the act incorporating the Thomas Iron Company, approved the fourth day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the Thomas Iron Company to purchase and hold all the capital stock, property and franchises of the South Mountain Iron Company, with power, in their discretion, to merge and consolidate the same into and with the capital stock and franchises of the Thomas Iron Company, and also to purchase and hold shares of stock in any mining corporations whose mining products shall be used in whole, or in part, by the Thomas Iron Company, and in transporting corporations engaged in transporting such products.

SECTION 2. That in case the directors of the Thomas Iron Company shall determine to merge and consolidate the capital stock and franchises of the South Mountain Iron Company with the capital stock and franchises of the Thomas Iron Company, a meeting of the stockholders of the Thomas Iron Company shall be convened for the purpose of deciding upon such consolidation and merger, and if at such meeting the owners of a majority, in value, of the capital stock of the Thomas Iron Company shall vote in favor of the merger, such vote shall be sufficient in law to declare and establish such merger; and thereupon a copy of the proceedings of the said meeting of stockholders shall be prepared and certified by the president and secretary of said meeting, and on filing the said certificate in the office of the secretary of the commonwealth, such consolidation and merger shall be deemed to have taken place, and the said companies shall thereupon become one corporation, possessing all the rights, privileges and franchises heretofore vested in either of them, and all the property, real, personal or mixed, and all debts due, and rights of action of either of them, shall be deemed and taken to be transferred to and vested in the Thomas Iron Company without further act or deed: *Provided*, That all rights of creditors, and all liens upon the property of either of the said corporations shall continue unimpaired, and the respective corporations may be deemed to be in existence to preserve the same; and all debts, duties and liabilities of either of the said companies shall thenceforth attach to the consolidated company, and may be enforced against it to the same extent and by the same process as if said debts, duties and liabilities had been contracted by it.

SECTION 3. That the directors of the Thomas Iron Company shall have power and authority to increase, from time to time, the capital stock of said company, such increase not to exceed forty thousand shares: *Provided*, That upon any

Authorized to purchase property of South Mountain iron company, &c.

Merger of company and South Mountain iron company, relative to.

Directors may increase capital stock.

such increase of the capital stock, a bonus of one-half of one per cent. upon such increase shall be paid into the state treasury. Bonus to state.

SECTION 4. That the Thomas Iron Company shall have power to acquire and hold, in fee simple, mineral lands, not exceeding ten thousand acres, in addition to those now authorized to be held by the company and those which may be acquired by merger, or otherwise, from the South Mountain Iron Company, and to hold by lease such mineral lands as in the opinion of the directors may be necessary to enable them to properly conduct their manufacturing operations. May hold additional lands.

SECTION 5. That it shall be lawful for the Thomas Iron Company to locate and construct such line or lines of telegraph as will connect their various works and mines with their works at Hockendauqua, in Lehigh county: *Provided*, That the land so held by lease shall not exceed, in addition to the land now authorized to be held by them by lease, one thousand acres for each and every furnace owned by the said corporation. Construct lines of telegraph.

Amount of land that may be held by lease, limited.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 636.

A Supplement

To an act for the establishment of public scales, and for weighing hay, straw, coal, lime, et cetera, in the borough of Sharpsburg, Allegheny county, approved the seventh day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.*, That after the passage and approval of this act, it shall be lawful for all dealers and merchants selling coal and lime in the borough of Sharpsburg, in the county of Allegheny, to weigh said coal and lime on platform scales, belonging to the respective dealers and merchants selling coal and lime; said dealers and merchants shall furnish tickets showing the weight and measurement of each load of coal and lime to the purchaser thereof, and shall keep an accurate book of each load of coal and lime sold. Merchants may weigh coal and lime on their own scales.

To furnish tickets to purchasers.

SECTION 2. That said dealers and merchants selling coal and lime shall respectively make a return or statement on the first day of each month to the treasurer of said borough, which statement shall contain an account of the number and weight of each load of lime and coal sold during the preceding month, which statement shall be verified on oath duly administered to be correct and copied from the books of the deponent; and the said dealers and merchants shall respectively pay over to the said treasurer the amount of fees and revenue To make monthly returns to treasurer, and pay over fees.

which the said borough would be entitled to collect from said respective dealers and merchants, as is now provided by the act to which this is a supplement; said amount of fees and revenues to be paid for the use of the said borough, on the first days of each and every month, and the amounts paid to be for the sales made during the month preceding the respective monthly statements aforesaid.

Not required to weigh coal and lime on public scales.

Proviso.

Proviso.

SECTION 3. That dealers and merchants selling coal and lime in said borough shall not be required or compelled to weigh coal or lime on the public scales of said borough: *Provided*, They fully comply with the requirements of this supplement: *And provided further*, That in case of non-compliance with the requirements hereof, the penalties set forth in the act to which this is a supplement shall be enforced.

To submit books to auditors if required.

Scales subject to inspection.

Penalty in case of false certificate.

SECTION 4. That said dealers and merchants selling coal and lime as aforesaid shall, if required, to submit their books showing the sales so made to the borough auditors for examination, and that the scales of said dealers and merchants shall be subject to the inspection of the borough authorities, as is provided by the general borough laws: *Provided always*, That in case a false certificate of the weight of any load of coal or lime shall be given by any dealer or merchant, the penalty fixed by said act shall be enforced.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 637.

An Act

In relation to legal advertisements in the county of Lycoming.

Publication of legal notices regulated.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act all sheriffs' sales of real estate, election proclamations, and all other legal advertisements, required by law, or as decree of any of the courts of record in the county of Lycoming, to be published in more than one newspaper in said county, one of such publications shall be made in the newspaper having the largest *bona fide* circulation.

Editors to file statement of circulation.

SECTION 2. That the editors or publishers of newspapers in said county, to have the largest circulation, shall file in the office of the prothonotary of the court of common pleas of said county, a statement, verified by oath or affirmation, stating the number of his or their circulation, together with the name of the post offices to which such newspapers are sent, which statement shall be *prima facie* evidence of the circulation of such paper; and thereupon it shall be the duty of the judges of the courts of said county to designate the paper having the largest circulation as the paper in which one of

Duty of court.

the advertisements aforesaid shall be inserted: *Provided however*, That in the event two or more editors or publishers of newspapers published in said county shall file statements, as hereinbefore provided, each claiming to have the largest circulation, it shall be lawful for said court to appoint a commissioner to hear the claimants, their proofs and allegations, and make report thereof to the court in writing, whereupon the court shall determine and designate the paper in which the advertisements shall be given: *Provided further*, That no more than the usual rates shall be charged or allowed for such publications.

When commissioner or may be appointed.

Not more than usual rates to be charged.

SECTION 3. That in all cases of orders and decrees made by the court, in which notice is required to be published, the counsel having charge of the notice, order or decree, may designate the newspaper in which such notice shall be published.

Counsel in charge of notices may designate newspaper to be published in.

SECTION 4. So much of any law as is hereby altered, is hereby repealed, so far as the same relates to the county of Lycoming.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 638.

A Supplement

To an act, regulating the sale of intoxicating liquors in the county of Allegheny, approved the third day of April, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That in lieu of the bonds now required by law, all applicants for license under this act, and the act to which this is a supplement shall, at the time said license is granted, execute to the commonwealth a bond in the sum of two thousand dollars, with two sufficient sureties, to be approved by the county treasurer, which bond shall be in form and conditioned as follows:

Know all men by these presents, That we _____, and _____, in the county of Allegheny, Pennsylvania, are held and firmly bound unto the commonwealth of Pennsylvania, in the sum of two thousand dollars, to be paid to the said commonwealth, its certain attorney or assigns, to which payment well and truly to be made, we do bind ourselves, our heirs, executors and administrators, and every of them jointly and severally firmly by these present. Witness our hands and seals the _____ day of _____ A. D. 18—.

The condition of the above obligation is such that if the above named, _____ this day licensed shall well and faithfully observe and fulfill all the duties relating to the

business of ———, and shall pay all fines or forfeitures that may be recovered against him without any fraud or evasion, then this obligation to be void, otherwise to be and remain in full force and virtue.

Sealed and delivered in the presence of

_____, [L. S.]
 _____, [L. S.]
 _____, [L. S.]

Said bond shall be filed in the office of the county treasurer, and whenever judgment for any forfeiture or fine shall have been recovered against the person to whom license has been granted, for any violation of the laws aforesaid, the same proceedings shall be had and with like effect as are now provided by law in case of forfeiture bonds and recognizances in said county.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 639.

An Act

To establish a rate of wharfage in the borough of Bristol, in the county of Bucks, upon the river Delaware, and to provide for the collection of the same.

Rate of wharfage
established.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, all steamboats, schooners and vessels of every description which shall tie to or fasten to any public or private wharf, pier or dock, in the borough of Bristol, in the county of Bucks, upon the river Delaware, shall become liable to pay to the owner or owners, occupier or occupiers, of said wharf, pier, dock, or landing place, as follows: All steamboats, either with or without canal boats, barges or rafts, in tow, the sum of five dollars, and all schooners or other vessels, the sum of one dollar, for every twelve hours or less time which said steamboat or other vessel shall remain tied or fastened to any wharf, pier or dock aforesaid.

Proceedings to enforce
payment.

SECTION 2. That upon demand being made upon the captain or other person in charge of any said steamboat, schooner or other vessel, by the owner or occupier of any wharf, pier or dock aforesaid, if the said captain or other person in charge shall neglect or refuse to pay the amount due from said steamboat, schooner or other vessel, for wharfage, as the same is hereinbefore provided for, it shall be lawful for any justice of the peace of the county of Bucks, upon complaint being made to him by the owners or occupiers aforesaid, or some other person, in his, her or their behalf, to issue a sum-

mons, in the name of the commonwealth of Pennsylvania, directed to any constable in said county, or any police officer of the borough of Bristol aforesaid, commanding said constable or police officer, to attach said steamboat, schooner or other vessel, and to summon the captain or other person in charge thereof, and to bring him or them before said justice, who shall, upon the appearance of said captain or other person in charge, or if there be no captain or other person in charge, upon return thereof being made by said constable or police officer, proceed to hear and determine the case, and shall give judgment against said steamboat or schooner for whatever sum shall be found by said justice to be due from said steamboat, schooner or other vessel to the owners or occupiers aforesaid, together with costs of suit; and if the judgment of the said justice shall not exceed the sum of ten dollars, exclusive of costs, the same shall be final, conclusive and without appeal whatever: *Provided however*, That in all cases in which the judgment of the said justice shall exceed the sum of ten dollars, exclusive of costs, the said captain or other person in charge, or the owner or owners of said steamboat, schooner, or other vessel, shall, upon giving security before the said justice for the payment of said judgment and all costs accrued or to accrue, be entitled to appeal from the judgment of the said justice to the court of common pleas of the county of Bucks, who shall proceed to hear and determine the cause in the same way and manner as in other cases of appeal from justices of the peace.

Appeals from judgment exceeding \$10, authorized.

SECTION 3. That it shall be lawful for any justice of the peace, rendering judgment under the provisions of this act, to at once issue an execution, (unless said judgment is appealed from in the manner hereinbefore provided for,) direct to any constable in said county of Bucks, commanding said constable to levy the amount of said judgment and costs upon the steamboat, schooner or other vessel against which judgment has been rendered as aforesaid; and by virtue of said execution the said constable shall, within the space of thirty days from the date of said execution, proceed to collect the same according to law, and after deducting from the proceeds of said sale the amount of said judgment and costs, the said constable shall return the overplus, if any, to the owner or owners of steamboat, schooner, raft, canal boat, or other vessel sold as aforesaid.

Execution may be issued.

SECTION 4. That all acts or parts of acts which in any way or manner conflict or are inconsistent with the provisions of this act be and the same are hereby repealed.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 640.

An Act

In relation to fees of county treasurer of Bucks county, Pennsylvania.

Compensation for
collecting county
taxes.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, including the term of the present treasurer, the fees of the treasurer of Bucks county, so far as relates to the collection of the taxes for county purposes, shall be five (5) per cent. on all moneys collected to the amount of fifty thousand dollars, and one (1) per cent. on all amounts collected over and above the sum of fifty thousand dollars; the balance paid over by any previous treasurer not to be considered as a portion of any amount subject to commissions for collection by any subsequent county treasurer; the aforesaid rates of commission to be considered in full payment for all taxes collected and disbursed for county purposes.

Repeal.

SECTION 2. All acts of assembly or parts of acts inconsistent with the provisions of this act be and are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 641.

An Act

To provide for the improvement of Brushton avenue, in the city of Pittsburg and county of Allegheny.

Upon petition filed,
commissioners to
have avenue gra-
ded and paved.

SECTION 1. *Be it enacted, &c.,* That upon the filing in the clerk's office of the court of quarter sessions, of a petition of a majority of the property holders abutting on Brushton avenue, between the line of the Pennsylvania railroad and Penn avenue, the commissioners named in the third section of this act shall cause the same to be graded, paved or macadamized, and curbed, between the points above mentioned; and when the improvement herein provided for shall have been completed, it shall be the duty of said commissioners to ascertain the entire cost of said improvement, and present the same to the court of quarter sessions of Allegheny county, together with a petition, praying for the appointment of viewers to assess the amount of damages, if any, and the benefits of said improvements, and it shall be the duty of said court to appoint three disinterested freeholders as viewers to perform said duty.

To ascertain cost,
and petition court
for appointment of
viewers.

Court to appoint.

SECTION 2. The said viewers shall cause the county engineer to prepare, for their use, and by their special directions, a plot showing said improvements and all lots or parcels of land, in said city and county, that may be directly benefited thereby; and said plan shall give, as near as can be, an accurate description of each lot, property, piece or parcel of land, and the improvement thereon, and the name of the owner or owners thereof. They shall give ten days' notice, by advertisement in three daily newspapers published in the city of Pittsburg, of the time and place of their first meeting; they shall view each lot, property, piece or parcel of land on said plot, and assess the cost of said improvement, and the amount of benefits, if any, equitably and justly upon all lots, and, pieces or parcels of lands, described in said plot, and benefited by said improvement, in proportion to the benefit hereto derived, directly or likely to be derived, from the completion of said improvement: *Provided*, That no property lying in the township of Wilkins, not abutting on said avenue, shall be assessed for benefits; and, after they shall have completed the assessments, they shall present the same to the court of quarter sessions of the county of Allegheny, giving ten days' notice thereof in two daily newspapers published in said city, and they may make any corrections in said assessments they may deem just and proper; and the said court shall have power to send back the said report for further action or revisions, and to hear and determine any appeal from the decision of said board of viewers, which said appeal shall be taken within thirty days after the filing of said report; and when said report shall have been finally acted on and approved by said court, it shall be final and conclusive, without exception or appeal.

Duties of viewers.

Powers of court on report made.

SECTION 3. That Jared M. Brush, J. M'C. Creighton and John C. Paul are hereby appointed commissioners to superintend the improvement mentioned in this act, who shall serve without salary; and after the petition provided for has been filed in the clerk's office of the court of quarter sessions, the said commissioners may then designate what kind of improvements shall be made on said avenue, between the points named, under the provisions of this act.

Commissioners appointed.

May designate kind of improvements to be made.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 642.

An Act

to amend and re-enact an act, entitled, "A supplement to an act to incorporate the Central Passenger Railway Company of Pittsburg," approved April ninth, one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That a supplement to an act to incorporate the Central Passenger Railway Company of

Pittsburg, be and is hereby amended to read as follows: That the Central Passenger Railway Company of Pittsburg shall be and is hereby authorized and empowered to raise on bonds or other securities any sum of money not exceeding twenty-five thousand dollars, which bonds and securities shall be secured by mortgage upon said railway, including all its real estate, rolling stock, franchises and personal property, said bonds to bear interest at a rate not exceeding eight per centum per annum: *Provided*, That the said railway company shall redeem and take up the bonds issued under and by the authority of the act to which this is a supplement, or shall convert the same into new bonds, issued in pursuance of this act, as the holders of said bonds may elect.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 643.

An Act

Supplementary to an act providing for the erection of a poor house in the county of Lawrence, changing the corporate name of the same, authorizing the directors to appoint a treasurer and collector, and fixing the compensation of the directors and auditors.

Corporate name
changed.

Privileges, &c.

SECTION 1. *Be it enacted, &c.*, That the corporate name, style and title of the said directors of the poor shall be directors of the poor of the city of New Castle, and by that name and style shall sue and be sued, plead and be impleaded, and succeed to all the rights, privileges and title to the real or personal property as fully as the same is vested in the directors of the poor of the county of Lawrence, and shall have and exercise the rights, powers and authority, and be subject to all the liabilities conferred on the directors of the poor of the county of Lawrence, by the act to which this is a supplement, and the several supplements thereto; also all the rights, powers and authority, and subject to all the liabilities of the overseers of the poor of the several poor districts of which the poor district of the city of New Castle is now composed: *Provided*, That all suits or proceedings in law now commenced shall be continued to a full and final determination of the same, by the name or style in which the same have been instituted.

To appoint treasurer who shall give security.

SECTION 2. That the said directors of the poor of the city of New Castle shall at their meeting on the first Monday in April, Anno Domini one thousand eight hundred and seventy-three, and annually thereafter, appoint a suitable person

treasurer, who shall give bond to the said directors of the poor with one or more sufficient sureties, to be approved by the said directors of the poor, in double the probable amount that shall come into his hands or under his control, conditioned for the faithful performance of his duties, and that he will well and faithfully account for and deliver, according to the order of said directors of the poor, all property and funds which may come into his hands or under his control, by virtue of his said office; he shall be allowed such compensation for his services as the directors of the poor may determine, not to exceed one per centum; he shall annually settle his accounts with the city auditors and pay over to his successor in office any balance in his hands or under his control.

His compensation.

To settle accounts annually.

SECTION 3. The said directors of the poor shall annully appoint some suitable person or persons as collector or collectors of the poor tax assessed by the said directors, who shall give bond or bonds with sufficient sureties, to be approved by the said directors of the poor, in double the amount of the tax assessed and given to the said collector for collection, which bond shall be conditioned that said collector shall well and faithfully collect and pay over to the treasurer of said directors of the poor said tax within four months; but no such appointment shall be necessary when no assessment shall be made of poor rates; and the said directors of the poor in case they shall neglect to take the bond or bonds aforesaid from the collector or collectors as aforesaid, before they enter on the duties of their appointment, shall be individually liable for all tax so assessed and not paid over to the treasurer.

To appoint collector who shall give security.

SECTION 4. The said directors of the poor shall each receive the sum of two dollars per day for every day they or either of them shall be employed in their duties as directors of the poor, and they shall pay to the city auditors the sum of three dollars per day each, for every day they may necessarily be employed in auditing the accounts of the directors of the poor and the treasurer so appointed by them.

Compensation of directors and auditors.

SECTION 5. That all acts or parts of acts that are hereby altered or supplied are hereby repealed.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 644.

An Act

To open, grade and pave Stiles street, from Broad street to Thirteenth street, in the Twentieth ward of the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the chief commissioner of highways of the city of Philadelphia is hereby directed to forthwith open Stiles street, from Broad street to Thirteenth street, in the said city, of a uniform width of fifty feet, and

the southern side of said Stiles street to be two hundred and fifty-four feet north of the northern line of Girard avenue, and when opened, to at once cause said Stiles street to be graded, curved and paved; and the cost of said curbing and paving shall be paid by the property owners according to their respective fronts on said Stiles street; and the said city shall pay for the grading and the paving of the intersections, and the contractors for the curbing and paving shall have right to file liens in the name of the city, and collect the same as now provided by law; and all acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 645.

A Supplement

To an act to extend the provisions of the act, entitled "An Act authorizing United States commissioners, et cetera, to acknowledge deeds, et cetera," approved the first day of March, one thousand eight hundred and seventy, to the county of Erie.

SECTION 1. *Be it enacted, &c.,* That the act authorizing and empowering United States commissioners to take the acknowledgment of deeds, mortgages, letters of attorney and other instruments in writing, and to administer oaths in all cases, and to take depositions to be used in any court of this commonwealth, be and the same is hereby extended to the county of Erie.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 646.

An Act

To regulate the manufacture and sale of fertilizers in Chester and Delaware counties.

Manufacturers to
be licensed

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, it shall not be lawful for any person or persons to make for sale, or cause to be made and offered for sale, in Chester and Delaware counties, any commercial fer-

fertilizer without having obtained a license from the court of quarter sessions of the county, the cost of which shall be ten dollars.

SECTION 2. Upon application for a license, it shall be necessary to present to the court a written statement, specifying the name or names of the manufacture, and place of business, or, in case of non-residents of the State, the name of a responsible agent, resident of the State, together with the constituent parts of such fertilizers, with the percentage each constituent part bears to the whole; statement shall, upon license being granted, be recorded in the recorder's office, in a book to be provided by the county, and shall be subject to the inspection of any citizen desiring to examine the same.

Statement to be presented to court.

To be recorded after license granted.

SECTION 3. No license shall be granted to sell or offer at sale any bag, barrel or parcel, containing any fertilizer, without having affixed to each a printed label indicating the chemical constituency, as in the statement heretofore required; and any person or persons offering for sale any commercial fertilizer without license, or without such printed labels, shall, upon conviction, be fined five hundred dollars for each and every offence.

Labels to be affixed to bags, barrels, &c.

Penalty for selling without license or labels.

SECTION 4. Any fertilizer offered, found not in conformity with the recorded statement and printed label, or being deficient in any valuable fertilizing agent, such as potash, super phosphate ammonia, upon due proof thereof, by analysis and satisfactory testimony, shall subject the manufacturer to a fine of two hundred dollars for the first offence, and a forfeiture of the article and three hundred dollars for any subsequent similar violation of this act.

Penalties for selling fertilizers not in conformity with statement.

SECTION 5. On conviction of the sale, or attempt to sell, an unlicensed, fraudulent or adulterated article, the fines heretofore enumerated shall be paid, one-half to the party prosecuting and the other half into the county treasury, and the expenses of analysis necessary to the proof be paid by the county.

How fines to be appropriated and expenses of analysis paid.

SECTION 6. This act shall not apply to persons making for their own use, or, by special contract, for another.

When act not to apply.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 647.

An Act

Enlarging the powers of the Penn Temperance Beneficial Society of Kingsessing.

SECTION 1. *Be it enacted, &c.,* That the Penn Temperance Beneficial Society of Kingsessing may, under the several

provisions of the charter thereof heretofore granted by the court of common pleas for the city of and county of Philadelphia, locate and transact its principal business within the limits of the county of Delaware.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 648.

An Act

To incorporate the borough of Mount Holly Springs.

Borough erected.

Name.

Boundaries.

SECTION 1. *Be it enacted, &c.*, That the village of Mount Holly Springs, in South Middleton township, Cumberland county, shall be and the same is hereby erected into a borough, which shall be a body politic and corporate, and called by the corporate name of the borough of Mount Holly Springs, bounded and limited as follows, to wit: Beginning at north-west corner of land of James Siplinger, and running north eighty-seven and one-half degrees, west two hundred and forty-eight perches to north-west corner of Mount Holly cemetery; thence south one and one-half degrees, west three hundred and twenty-four perches, by lands of Wm. B. Butler, Matthew Moore and others, to corner of William M'Allister's land; thence south twenty-seven degrees, east three hundred and sixty-five perches, by lands of Wm. B. Butler and Mount Holly Paper Company to the junction of Gettysburg road and South Mountain Iron Company's railroad; thence south forty-two and one-half degrees, east twenty-seven perches to a corner on lands leased by ore bank company; thence south forty-nine degrees, east one hundred and seven perches to a chestnut tree at Geo. Wolf's; thence north twenty-eight degrees, east sixty perches to a corner on lands of Kempton's heirs; thence north four degrees, west five hundred and thirty-six perches, by lands of Thos. Haycock, Mount Holly Paper Company, Givin Bros., and others, to place of beginning.

Powers and privileges.

SECTION 2. That the said corporation, by the name of the borough of Mount Holly Springs, shall have perpetual succession, the right to sue and be sued, to complain and defend in all courts of record and elsewhere, to make and use a common seal, and alter the same at pleasure, and to purchase, acquire, hold, sell and convey, real and personal estate necessary for corporate purposes.

In what officers powers vested.

SECTION 3. The powers of the corporation shall be vested in a chief burgess, assistant burgess and town council, composed of nine members, and such other officers as may, from

time to time, be authorized by the ordinances or by-laws of the borough council.

SECTION 4. An election under this act shall be held at the school house in said borough, on the third Friday of April, one thousand eight hundred and seventy-three, and annually thereafter, by a judge and two inspectors, to be chosen by the qualified electors who may be present at the opening of said election, and the inspectors so chosen shall each appoint one clerk of said election; and at said election there shall be elected by the qualified voters of said borough one person for judge and two persons for inspectors of elections, one person for constable and one person for assessor of taxes, who shall severally hold their office for one year, and three auditors who shall be elected and whose term of office shall be as follows, to wit: At the election held as aforesaid the qualified voters of said borough shall elect three auditors; the person receiving the highest number of votes shall serve for three years, the person receiving the second highest number of votes shall serve for two years, and the person receiving the third highest number of votes shall serve for one year; one auditor to be elected annually thereafter; and the said officers and their successors shall perform the same duties and possess the same powers as officers of similar designation in townships; and the board of directors of common schools shall consist of six members, who shall be chosen pursuant to the general school laws of the commonwealth.

Election.

Judge, inspectors, constable and assessor to be chosen.

Also auditors.

School directors.

SECTION 5. At the election as aforesaid the qualified electors of said borough shall elect one person for chief burgess, one person for assistant burgess and nine persons for town council, to serve for the term of one year.

Chief burgess, assistant burgess and councilmen to be elec.ed.

SECTION 6. To the end that the minority of the electors of said borough may obtain for themselves a representation in their local government, in choosing the nine persons for town council, no elector duly qualified shall vote for more than five candidates for said office, and the nine candidate receiving the highest number of votes shall be declared elected.

How councilmen to be voted for.

SECTION 7. William B. Butler, now a justice of the peace resident within the limits of said borough, shall continue to hold his office and exercise its duties until the expiration of the term for which he was elected.

Present justice to continue.

SECTION 8. That the chief burgess and town council of the said borough shall have power to levy and collect taxes in the said borough for borough purposes, and expend the same in accordance with the general laws of this commonwealth regulating boroughs.

Power to levy borough tax.

SECTION 9. That it shall be the duty of the treasurer of said borough, upon the assessment and ascertainment of the borough taxes in any year, and so soon as the time allowed to tax-payers to appeal has expired, to give public notice in one newspaper published in said borough, and by at least six handbills or placards put up in public situations therein, that he is prepared to receive the taxes so assessed and ascertained at his office or place of business, (to be distinctly named in such notice,) and requiring the tax payers to pay the same; any tax unpaid at the expiration of sixty days from the giving

Collection of borough tax.

of such notice shall be paid with five per centum penalty upon the amount added thereto ; and for the collection of the unpaid taxes and penalties it shall be the duty of the president of the town council to issue his warrant under his hand and seal to the constable of the said borough, authorizing and commanding him to collect the same, which warrant shall confer full authority upon such constable to receive such taxes and penalties and to enforce the payment thereof by distress or otherwise, as provided in the case of collection of borough or township taxes by general laws.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 649.

A Supplement

To an act, entitled "An Act to enable the administrators of John M. Hale, late of the city of Reading, Berks county, deceased, to sell real estate," approved the second day of July, one thousand eight hundred and sixty-nine.

WHEREAS, Doubts have arisen as to whether the provisions of the act to which this act is a supplement are in accordance with the provisions of the constitution of this commonwealth ; therefore,

SECTION 1. *Be it enacted, &c.*, That nothing in the said act contained shall at any time be construed or understood so as to change in any respect the right or estate of the widow or the respective rights or estates of the heirs of John M. Hale, deceased, as the same existed at and immediately after the death of said John M. Hale, and before the passage of said act ; but that in the final settlement and distribution of the estate of said decedent the personal property shall be considered to have been applied either entirely, or so far as may have been necessary, to the payment of the debts of said decedent ; and such final settlement and distribution shall be made in accordance with the provisions of the intestate laws of this commonwealth.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 650.

An Act

Appointing commissioners to lay out and open a state road in Potter county, to connect the Germania and Youngwomanstown state road with the Kettle Creek state road, at the line between the counties of Potter and Clinton, and to repeal section two of the supplement of the Kettle Creek state road act, approved the thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That Dr. Charles Meine, James Francis and Henry Anderson, of the county of Potter, are hereby appointed commissioners for the purpose of laying out and opening a state road, in the said county of Potter, commencing at a point on the Germania and Youngwomanstown state road, at or near where it crosses Kettle creek; thence by the best route to the Kettle Creek state road, on the line between the counties of Potter and Clinton; said commissioners to have power to employ a competent engineer to assist in locating said road, and the powers of the said commissioners under this act, to continue for six years, and no more.

Commissioners appointed to lay out road.

May employ engineer.

SECTION 2. That when said road shall have been located, the said commissioners shall cause a full and correct draft thereof to be made and filed among the records of the court of quarter sessions of Potter county, and from thence said road is hereby declared to be a public road or highway; and the said draft and the record thereof shall be legal evidence in all things pertaining to the same.

To file draft.

SECTION 3. That for the purpose of raising money to construct said road, the said commissioners shall have power to levy and collect yearly, commencing with the year one thousand eight hundred and seventy-three, a tax of not exceeding five mills upon the dollar of the adjusted valuation upon all property taxable for county purposes in the townships of Stewardson and Abbott, for the term of five years; a duplicate of the seated tax to be made out and put into the hands of a collector, or one of said commissioners, for collection, with full powers hereby given to the said collector or commissioner to collect the same, that collectors of county taxes now have by law; the unseated tax to be returned by the said commissioners to the county commissioners of said county, for collection, the same as other unseated taxes are now returned for collection; and it shall be the duty of the said county commissioners to cause the same to be collected in the same manner as other unseated taxes are collected, and to draw their orders on the county treasurer, in favor of the said state road commissioners for the same.

Authorized to levy tax.

Collection of.

Unseated tax.

SECTION 4. The commissioners of the said Kettle Creek state road are hereby required to pay over to the commissioners named in this act any unappropriated portion of the

Commissioners of Kettle Creek state road to pay over certain moneys.

moneys directed to be paid over to the commissioners of the said Kettle Creek state road by the commissioners of the Hopper House and Paddy's Run state road by the third section of the act, entitled "A supplement to an act appointing commissioners to lay out and open a state road from the mouth of Kettle creek, in Clinton county, up said creek to the south line of Potter county," approved the thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one: *Provided*, This section shall apply only to the moneys required by said act to be expended in the county of Potter.

Commissioners to give security.

SECTION 5. That the said commissioners, before entering upon the duties of their office, shall give a bond, with sufficient surety, for the faithful performance of their duties and the faithful appropriation of any moneys that may come to their hands, which bond shall be approved by the court of quarter sessions of Potter county, or one of the judges thereof, in vacation; shall settle their accounts annually with the auditors of Potter county; two of their number shall constitute a quorum for the transaction of business; they shall be entitled to a reasonable compensation for their services, not exceeding three dollars per day; and in case of a vacancy occurring in the board, in any way, the court of quarter sessions of Potter county shall fill said vacancy by appointment.

To settle accounts annually.

Quorum.

Compensation.

Vacancies.

Authorized to borrow money and issue bonds.

SECTION 6. The said commissioners are hereby authorized to issue bonds, and borrow money thereon, at a rate of interest, not exceeding seven per cent.; the said bonds to be in sums of not less than one hundred dollars, and the aggregate amount of bonds to be issued by them not to exceed the sum of three thousand dollars.

Damages.

SECTION 7. That in all cases where said commissioners cannot procure a release for damages sustained by any person or persons through whose lands the said road shall be located, they are hereby authorized to appraise the same and make report thereof to the court of quarter sessions of Potter county; and the same proceedings shall be had upon said report as is now had upon the reports of road viewers in relation to damages, and said damages shall be paid by the county of Potter in the same manner that damages in ordinary road cases are paid; and the said county of Potter shall pay the expenses of surveying and locating said road the same as the expense of locating highways are now required to be paid.

Repeal of portion of act of May 13, 1871.

SECTION 8. That the second section of the supplement to said Kettle Creek state road act, passed the thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one, and published in the pamphlet laws for that year, on page eight hundred and sixty-six, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 651.

An Act

To fix the pay of the overseers of the poor of the borough of Kittanning, Armstrong county.

SECTION 1. *Be it enacted, &c.*, That from and after the first Monday of May, eighteen hundred and seventy-three, the pay of the overseers of the poor of the borough of Kittanning, Armstrong county, shall be two dollars for each and every day actually and necessarily employed by them in the discharge of the duties of their office, except when engaged in the collection of taxes.

APPROVED—The 10th day of April, 1873.

J. F. HARTRANFT.

No. 652.

An Act

To authorize the directors of the poor and the house of employment for the county of Lehigh to sell and convey certain real estate.

WHEREAS, It is deemed expedient to sell about one and a half acres of the property known as the Lehigh County poor house property, for the purpose of straightening lines of a field and allowing the school board of said township a site for a school house, et cetera.

SECTION 1. *Be it enacted, &c.*, That the directors of the poor and of the house of employment for the county of Lehigh be and they are hereby authorized and empowered at any time or times hereafter, to grant, bargain and sell any part of all that certain farm or tract of land situate in South Whitehall township, in the county of Lehigh, and used as a place for the support and maintenance of the insane and poor: *Provided*, That the part to be sold shall not exceed one and a half acres.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 653.

An Act

To authorize the commissioners of the county of Schuylkill to borrow money.

SECTION 1. *Be it enacted, &c.*, That the commissioners of the county of Schuylkill be and they are hereby authorized and empowered to borrow, on the credit of the said county, such sums of money as they may deem advisable, not exceeding, in all, the sum of thirty thousand dollars, the interest not to exceed six per centum per annum, and to issue bonds for securing the payment of the same ; and the money so borrowed shall be exempt from all taxation, except for state purposes, and shall be expended by said commissioners in discharging the present indebtedness on new bridges, in said county, and for repairing and improving the public buildings ; and that the temporary loans of money heretofore made by the said commissioners, on behalf of said county, be and the same are hereby legalized and made valid.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 654.

An Act

Authorizing and requiring the auditors of Dushore borough, in the county of Sullivan, to re-audit certain accounts.

WHEREAS, The accounts of Joseph Dibling, late treasurer of Dushore school district, in Sullivan county, have been audited by the auditors of said borough :

And whereas, Errors have since been discovered in settlement of said accounts ; therefore,

SECTION 1. *Be it enacted, &c.*, That the auditors of the borough of Dushore, in the county of Sullivan, are hereby authorized and required to re-audit the accounts of Joseph Dibling, late treasurer of the Dushore school district, for the school year ending the first Monday in June, Anno Domini one thousand eight hundred and seventy-one, which accounts shall be valid, any law or usage to the contrary notwithstanding.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 655.

An Act

Supplementary to an act to incorporate the Altoona Hall and Market Company, approved April first, Anno Domini one thousand eight hundred and sixty-three, authorizing the erection of buildings and the withdrawal and re-issue of stock.

SECTION 1. *Be it enacted, &c.*, That so much of section three, as requires said company to erect buildings, exclusively for hall and market purposes, be and the same is hereby repealed; and the said company shall have full power and authority to erect such buildings and for such purposes as the board of managers may direct. Repeal of part of section three.

SECTION 2. The said company shall have power to fund their stock, by and with the consent of the stockholders, and to issue in lieu thereof such preferred stock as the interests of the company may require, and they shall have full power to regulate the manner of voting by the stockholders: *Provided however*, That each stockholder shall be entitled to one vote. May fund stock and regulate manner of voting.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 656.

An Act

In relation to the adoption of Guy M'Candlass, minor child of J. Guy M'Candlass and Emma M'Candlass, giving the court of common pleas of Allegheny county jurisdiction at number four hundred and fifty-four, September term, one thousand eight hundred and seventy-two, and directing them to make decree therein in accordance with the facts to be ascertained.

WHEREAS, J. Guy M'Candlass, M. D., of Pittsburg, was divorced from his wife, Emma M'Candlass, by the legislature of Pennsylvania, by an act, approved the twenty-first day of March, Anno Domini one thousand eight hundred and seventy-two:

And whereas, Said divorce would not have been granted, except on agreement of the parties:

And whereas, Part of said agreement was that Isaac Jones, Esquire, father of Mrs. M'Candlass, should adopt, by due process of law, Guy M'Candlass, the minor child of the parties, they having consented thereto:

And whereas, Said Isaac Jones filed his petition in the court of common pleas of Allegheny county, at number four hundred and fifty-four, of September term, one thousand eight hundred and seventy-two, in pursuance of said agreement, desiring in good faith to carry out its provisions, and adopt said child as one of his heirs-at-law :

And whereas, Said J. Guy M'Candlass filed an answer to said petition, denying that he had ever consented that the child should be adopted, as prayed for by said Isaac Jones ; therefore,

SECTION 1. *Be it enacted, &c.*, That the court of common pleas of Allegheny county be and they are hereby empowered and directed to proceed with the cause, at number four hundred and fifty-four, of September term, one thousand eight hundred and seventy-two, to take testimony, either in open court or before a commissioner ; and if after testimony taken, they are satisfied that J. Guy M'Candlass did consent and agree that Isaac Jones should adopt Guy M'Candlass, by due process of law, as one of his heirs-at-law, then in such case, said court shall make the decree prayed for, at the costs of said J. Guy M'Candlass ; if, after testimony, they are satisfied that said M'Candlass did not make said agreement, then the proceedings to be dismissed at cost of petitioner, with the right in either party to appeal to the supreme court from the decree of the court of common pleas, upon the facts adduced in evidence : *Provided*, That nothing contained in this act shall be so construed as to authorize the said court to change the name of the said Guy M'Candlass, minor child as aforesaid.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 657.

Supplement

To an act to divide the borough of New Brighton into three wards.

Election of councilmen.

SECTION 1. *Be it enacted, &c.*, That the borough council of New Brighton, in the county of Beaver, shall be elected annually in each ward, in the following manner to wit : The whole number of each ward shall be chosen at the first annual election after the passage of this act, one to serve for one year, one to serve for two years, and one to serve for three years, and one annually thereafter for three years.

Repeal.

SECTION 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 658.

An Act

To authorize the commissioners of Lehigh county to pay the committee appointed by the court to examine the commissioners and treasurer accounts for their services.

SECTION 1. *Be it enacted, &c.*, That the county commissioners of the county of Lehigh be and they are hereby authorized and empowered to issue their order or orders on the treasurer of said county, for paying to the members of the committee and their clerk, appointed by the court of quarter sessions of the peace of said county, at April sessions, eighteen hundred and seventy-two, to examine the accounts of said county commissioners and of the county treasurer, such compensation for their services, as said court shall fix upon as reasonable and just.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 659.

A Supplement

To an act to incorporate the Rockhill Iron and Coal Company, approved the twenty-first day of March, one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the Rockhill Iron and Coal Company shall have power, from time to time, by a vote of their stockholders, to alter the number of their directors: *May alter number of directors.*
Provided, That the whole number of said directors, including the president, shall not be greater than thirteen. *Proviso.*

SECTION 2. That the Rockhill Iron and Coal Company be and they are hereby authorized to purchase or subscribe to the capital stock of other corporations holding or entitled to hold mineral lands in the counties of Huntingdon, Bedford or Fulton. *May purchase or subscribe to the stock of other corporations.*

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 660.

An Act

Legalizing and authorizing the payment of bounties to certain volunteers in the late war, in the township of Middlebury, Tioga county.

Preamble.

WHEREAS, Numerous citizens of the township of Middlebury, in the county of Tioga, among whom were the then supervisors of said township, did, in the summer or fall of the year Anno Domini one thousand eight hundred and sixty-four, offer to volunteers, to be credited to said township, one hundred dollars more bounty than was then authorized by law to be paid in said township, in order to avoid a draft therein:

And whereas, Most of those entitled thereto have been paid said extra bounty by subscriptions of citizens who promised to pay the same:

And whereas, The subscriptions having been exhausted, the supervisors of said township did draw an order on the treasurer of said township, in the year Anno Domini one thousand eight hundred and seventy, for one hundred dollars, in favor of James Carpenter, one of the volunteers promised the said extra bounty; therefore,

Order legalized.

SECTION 1. *Be it enacted, &c.,* That the drawing, issuing and payment of said order to the said James Carpenter, is hereby legalized and made valid, and the same shall be allowed in the settlement of the accounts of the supervisors who drew and the treasurer who paid the same, and the said supervisors and treasurer are hereby released and discharged from all liability arising from the drawing, issuing and payment of the said order.

To be allowed in settlement of accounts.

Supervisors to draw orders for \$100, to each soldier credited to township.

SECTION 2. The supervisors of said township are hereby authorized and directed to draw their orders on the treasurer of said township, who shall pay the same out of any funds of said township in his hands for the sum of one hundred dollars to each and every volunteer soldier, who shall establish his claim to be similar to that of said James Carpenter; that is to say that he enlisted and was credited to said township during the summer or fall of the year Anno Domini one thousand eight hundred and sixty-four; that he was induced so to enlist and be credited by the promise of the said one hundred dollars extra bounty, to be raised by subscription among the citizens of said township, and that he has not received the said extra bounty from any source: *Provided,* That no one of the said volunteers shall receive more than enough to make up one hundred dollars together what he may have already received from subscriptions, and that no interest shall be allowed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 661.

An Act

To repeal so much of the act, entitled "An Act for the protection of fish in the Kiskeminitas river and its tributaries," approved the fifth day of April, Anno Domini eighteen hundred and seventy-two, as requires owners of mill-dams to erect shutes, slopes, fishways or gates, in said dams, in Beaver run and Loyalhanna creek, in Westmoreland county.

SECTION 1. *Be it enacted, &c.*, That so much of the act, entitled "An Act for the protection of fish in the Kiskeminitas river and its tributaries," approved the fifth day of April, Anno Domini eighteen hundred and seventy-two, as requires the owner or owners of mill-dams erected across the said Kiskeminitas river, or any of its tributaries, to erect shutes, slopes, fishways or gates in said dams, be and the same is hereby repealed; and all fines, penalties and forfeitures, arising under said act, by reason of negligence on the part of such owner or owners of dams, are hereby remitted: *Provided*, That this supplement shall only apply to Beaver run and Loyalhanna creek, in the county of Westmoreland.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 662.

An Act

To extend the provisions of an act, entitled "An Act to prevent cattle, horses, mules, sheep, goats, and swine from running at large in the townships of Sugar Grove and Freehold, in the county of Warren, and Plum township, Venango county, to the townships of Bedford and Snake Spring, in the county of Bedford.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act of assembly, approved the twenty-seventh day of March, Anno Domini eighteen hundred and sixty-nine, entitled "An Act to prevent cattle, horses, mules, sheep, goats and swine, from running at large in the townships of Sugar Grove and Freehold, in the county of Warren, and Plum township, Venango county," be and the same are hereby extended to the townships of Bedford and Snake Spring, in the county of Bedford.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 663.

An Act

Annuling the marriage contract between Catharine Winter and Emmor C. Winter, of the city of Philadelphia.

SECTION 1. *Be it enacted, &c.,* That the marriage contract entered into between Catharine Winter and Emmor C. Winter, both of the city of Philadelphia, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from the duties and obligations arising therefrom, as fully, effectually and absolutely as if they had never been joined in marriage.

APPROVED—The 10th day of April, A. D. 1873.

J. F. PARTRANFT.

No. 664.

An Act

Authorizing the appointment of the lowest bidder to collect all borough taxes of every kind that may hereafter be assessed upon the inhabitants and property in the borough of Lebanon, in the county of Lebanon.

Burgess to advertise and receive proposals.

SECTION 1. *Be it enacted, &c.,* That the chief burgess of said borough shall, from time to time, advertise and receive proposals for the collection of borough, ward, school, water and all other taxes whatsoever, that may hereafter, from time to time, be assessed upon the inhabitants and property in said borough.

How advertisements made.

SECTION 2. Such advertisements shall be published for the period of thirty days, in two of the papers of said borough, and by handbills put up in various public places therein, previous to the appointment of such tax collector; and the person offering to collect said taxes at the lowest fixed sum per year, shall be appointed to that office by the chief burgess and council of said borough; he shall hold his office for the term of two years; and before his appointment shall take effect he shall enter into bond, in the name of the commonwealth, in double the amount of the taxes to be collected by him yearly, with at least five sureties, to be approved by said burgess and council, for the faithful performance of the duties of said office.

Lowest bidder to be appointed collector.

Term of office.

To give security.

Duplicates with warrants to be issued to.

SECTION 3. Tax duplicates, with warrants attached, shall be issued to such tax collector; and he shall have the same

authority to enforce the payment of taxes, and be entitled to the same abatements and exonerations now allowed such officers by law; he shall pay over to the borough treasurer weekly, the amount of money collected by him, with a list of the names of persons who paid the same, and the amount paid by each, which return shall be filed by the treasurer. Powers, privileges and duties.

SECTION 4. Before entering upon the duties of his office he shall take and subscribe an oath or affirmation that he will faithfully perform the duties of his office; and he shall be subject to the same fines and penalties for malversation in office now inflicted upon that class of officers by law. To be sworn. Subject to.

SECTION 5. That proposals received shall be filed, and council shall keep full minutes of all its proceedings in the appointment of such tax collector, in which the offers made and the names of the parties making them shall be entered, and all acts inconsistent herewith are hereby repealed. Proposals to be filed and minutes kept. Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 665.

An Act

To authorize the appointment of a stenographic reporter for the courts of the Eleventh judicial district of this commonwealth.

SECTION 1. *Be it enacted, &c.*, That the president judge of the Eleventh judicial district of this commonwealth be and is hereby authorized to appoint a competent stenographic reporter, from year to year, for the several courts held in said district, whose duty it shall be to attend in court, during the trial of all cases, and accurately take down and record the testimony of all witnesses examined, noting exceptions there- Appointment authorized. Duties.

SECTION 2. The compensation for the services of said stenographer so appointed shall be not more than ten dollars per day to be fixed by the court for every day he is in attendance upon said courts, the same to be paid out of the treasury of the county in which said courts are held, upon proper warrants, duly signed by the president judge of said district. Compensation

SECTION 3. That whenever copy shall be desired by counsel of the charge of the court or of the testimony taken on the trial of any cause, it shall be the duty of said stenographer to furnish the same, at a charge not exceeding ten cents per folio of one hundred words, the same to be paid by the party so ordering it. To furnish copy on request of counsel.

SECTION 4. That said stenographer so appointed shall have authority to employ an assistant or assistants at his own expense. May employ assistant.

Repealing clause.

SECTION 5. That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 666.

A Supplement

To an act, entitled "An Act to enable the borough of Danville, in the county of Montour, to establish water works," approved March twenty-third, one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.,* That the rate of the water tax authorized by the third section of the act to which this is a supplement, is hereby increased from seven mills to twelve mills on the dollar, and that said tax shall be assessed on all subjects and things now taxable for county, state or general borough purposes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 667.

An Act

To extend to the county of Delaware an act, entitled "An Act to prevent trespassing upon railroad cars in the county of Berks," approved the twenty-first day of February, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.,* That the provisions of an act, entitled "An Act to prevent trespassing upon railroad cars in the county of Berks," approved the twenty-first day of February, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby extended to the county of Delaware: *Provided,* That any commitment under this act shall be to the Delaware county prison.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 668.

A Supplement

To an act, entitled "An Act relative to the Berks county prison, and to discharged convicts," approved the eighth day of February, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted, &c.,* That at the general election to be held on the second Tuesday of October next, the qualified electors of the county of Berks shall elect nine discreet and reputable citizens, resident taxables in the said county, who shall constitute the board of inspectors of the Berks county prison, and who shall have charge of the management thereof. The election shall be held, and the returns of election made in the manner prescribed by law in the case of county commissioners, and the validity of the election or return be subject to like trial and examine in case of a contest; at such election each voter shall be entitled to vote for not more than six inspectors, and the nine candidates highest in vote shall be declared elected; the said board of inspectors shall enter upon their duties, and take charge of the management of the Berks county prison, on the first day of December next succeeding their election; and at their first meeting the six having received the highest number of votes shall be divided by lot into three classes of two members each; the term of office of the first class shall continue until the first day of December, one thousand eight hundred and seventy-four, of the second class until the first day of December, one thousand eight hundred and seventy-five, and of the third class until the first day of December, one thousand eight hundred and seventy-six, and at the same meeting the remaining three members shall be divided by lot into three classes; the term of office of the first class shall continue until the first day of December, one thousand eight hundred and seventy-four, of the second class, until the first day of December, one thousand eight hundred and seventy-five, and of the third class until the first day of December, one thousand eight hundred and seventy-six.

Board of inspectors to be elected.

When to enter upon duties.

To be c.

SECTION 2. That at the general election to be held on the second Tuesday of October, in the year one thousand eight hundred and seventy-four, and annually thereafter, the qualified electors of the county of Berks shall elect three discreet and reputable citizens, resident taxables in said county, as members of the board of inspectors aforesaid, to serve for the period of three years from the first day of December next succeeding their election. The election shall be held, and the returns of election made in the manner prescribed by law in the case of county commissioners, and the validity of the election or returns be subject to like trial and examination in case of a contest; at such election each voter shall be entitled to vote for not more than two inspectors, and the three

Three inspectors to be elected annually.

How vacancies
filled.

candidates highest in votes shall be declared elected; it shall be the duty of said board of inspectors to keep a record of the number of votes received by each member at his election; and in case of a vacancy by death, resignation or otherwise, such vacancy shall be filled for the term for which the vacating member was elected, as follows: If the vacating member was one of the six members of the board having received the highest number of votes, the remaining five of said six shall appoint a suitable person, with the qualifications above required by this act, to fill said vacancy; and if the vacating member was one of the three having received the lowest number of votes, the remaining two shall fill said vacancy in like manner; in case of their disagreement in nomination for said vacancy, the appointment shall be decided by lot.

When term of
members in office
on 30th November,
1873, to expire.

SECTION 3. The term of service of the members of the board of inspectors of the Berks county prison who are in office on the thirtieth day of November next, shall expire on the organization of the board of inspectors as herein provided for, on the first day of December, one thousand eight hundred and seventy-three. All parts of the first section of the act to which this is a supplement which are inconsistent with or contrary to this act are hereby repealed.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 669.

An Act

Relating to the collection of taxes in the borough of Greenville.

Division line
fixed.

SECTION 1. *Be it enacted, &c.,* That hereafter the Shenango river, in the borough of Greenville, in the county of Mercer, shall form a division line in the levying, collecting and disbursement of the taxes authorized to be levied by the burgess and council of said borough, so that the amount raised in each, will be expended in that division where the property is situated on which the same may have been assessed.

Licensing of vehi-
cles authorized.

SECTION 2. And the burgess and council aforesaid, are hereby authorized to levy and collect by summary proceeding, if necessary, a tax or license not exceeding ten dollars per annum, from each owner or driver of any hack, omnibus, dray or express wagon, used in said borough; this act not to affect the levying or collecting of taxes for the payment of debts heretofore contracted by said borough.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 670.

An Act

To extend the provisions of an act, entitled "An Act to amend the road laws of Damascus township, Wayne county, to Dyberry township, Wayne county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act to amend the road laws of Damascus township, Wayne county," approved the first day of March, Anno Domini one thousand eight hundred and seventy-three, are hereby extended to Dyberry township, Wayne county, and all existing road laws in said township, inconsistent herewith, are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 671.

An Act

For the better maintenance of public roads in the townships of Union and North Union, in the county of Schuylkill.

Be it enacted, &c., That from and after the annual township election for one thousand eight hundred and seventy-three, in Union and North Union townships, Schuylkill county, the office of township treasurer of the said townships, and the same is hereby abolished, and that sections two, three, six, seven, eight and twelve, of the act of general assembly, approved the seventeenth day of February, one thousand eight hundred and fifty nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," be and the same is hereby repealed, so far as said Union and North Union townships is concerned, and that instead thereof the supervisors of said townships shall be the collectors of the road taxes of said townships, in addition to the other duties imposed upon them by law, for which purpose the township auditors of said townships shall issue to said supervisors their warrant, empowering them to enforce the collection of said taxes, as taxes generally are collected by the laws of this commonwealth: *Provided*, That before entering upon the duties of their respective offices, the said supervisors shall enter into bonds, as required by the first section of the aforesaid act of seventeenth of February, one thousand eight hundred and fifty-nine.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 672.

An Act

To regulate and direct the manner of levying, collecting and applying the road tax of Buffalo township, Butler county, and for using the same in the repair and construction of the roads in said township.

Certain act repealed in part.

SECTION 1. *Be it enacted, &c.,* That the act, entitled "An Act extending the provisions of an act relating to roads in Worth township, Butler county," approved one thousand eight hundred and sixty-six, to Buffalo township, be and the same is hereby repealed so far as relates to Buffalo township, except so far as relates to the election of road commissioners.

Tax for road purposes.

SECTION 2. That from and after the passage of this act it shall be lawful for the road commissioners of Buffalo township to levy and collect a sufficient amount in cash to make and keep in good repair the roads in said township, and for this purpose they are empowered to appoint collectors, issue warrants and enforce the collection of said tax in the same manner that other taxes are collected.

Roads to be divided into sections and sold.

SECTION 3. That on or before the first day of May, it shall be the duty of the commissioners, or a majority of them, to lay off in sections and sell to the lowest and best bidder, the making and repairing of said roads, take bonds from each contractor for the faithful performance of contract, containing a forfeiture not exceeding twenty per cent. on the amount of said bid for neglect to perform the same.

Security required from contractor.

Commissioners to examine contracts and give orders.

SECTION 4. That after the completion of said contract it shall be the duty of said commissioners to view, examine and take up, if satisfactory, all such contracts, give orders in such sums as may be just and equitable: *Provided*, That such sum shall in no case exceed the contract price.

May let contracts for three years.

SECTION 5. That the commissioners shall have power to let said contracts for a period of three years, if in their judgment advisable, and they shall receive for their services the sum of one dollar and fifty cents per day for each day spent concerning their duties under this act: *And further*, They are required to make an annual exhibit of their accounts to the township auditors, who shall enter the same on the books of the township: *Provided*, That nothing in this act shall prevent any taxable person from paying his tax in labor under any contract created under the provisions of this act, if he shall elect to do so, and all labor so done shall be received by such contractor as so much paid on his contract at prevailing wages: *And provided further*, That no tax so worked out shall amount to less than one day's labor.

Compensation.

To make annual exhibit of accounts
Tax may be paid in labor.

Repealing clause.

SECTION 6. All acts or parts of acts inconsistent with this act are hereby repealed, so far as the same relate to Buffalo township, Butler county.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 673.

An Act

To repeal the road laws of M'Kean county, and to restore the provisions of the general road law, as passed in Anno Domini one thousand eight hundred and two, with the supplements thereto, to said county.

SECTION 1. *Be it enacted, &c.,* That the general road laws of the commonwealth, as passed April sixth, one thousand eight hundred and two, with the supplements thereto, are hereby extended to the county of M'Kean: *Provided however,* That the present incumbents, as supervisors of the several townships of said county, shall hold their respective offices until ten days subsequent to the next township election for said county: *And provided further,* That said supervisors shall have no power granted them for re-letting any road contracts, but shall take the charge of all public roads and bridges in their respective townships, and see that they are kept in repair after the expiration of the present contracts and be amenable for any neglect of duty as the supervisors are under the general laws of the commonwealth, until the expirations of their term under the provisions of this act.

General road laws extended to.

How long present supervisors to hold their offices.

To take charge of roads and bridges, and keep same in repair.

SECTION 2. So much of any act or acts as are hereby altered or supplied are hereby repealed.

Repealing clause.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No 674.

An Act

Authorizing justices of the peace in and for the township of Tioga, in the county of Tioga, to keep their offices in the borough of Tioga, in said county.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act it shall be lawful for any justice of the peace who has or shall have been elected in and for the township of Tioga, in the county of Tioga, to keep his office in the borough of Tioga, in said county.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 675.

An Act

To fix the compensation of the assessors and assistant assessors in the county of Cumberland.

Compensation.

SECTION 1. *Be it enacted, &c.*, That from and after the first day of January, Anno Domini one thousand eight hundred and seventy-three, the pay of assessors and assistant assessors of Cumberland county shall be two dollars per day for every day necessarily required to make the assessment for state and county purposes, and for making the registration of voters.

Repealing clause.

SECTION 2. That all laws or parts of laws which are altered or supplied by, or are inconsistent with the preceding section, are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 676.

An Act

To extend the provisions of an act, entitled "An Act to increase the fees of notaries public in the county of Northampton," approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine, to the county of Luzerne.

SECTION 1. *Be it enacted, &c.*, That that provisions of an act, entitled "An Act to increase the fees of notaries public in the county of Northampton," approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to the county of Luzerne.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 677.

An Act

To authorize the borough authorities of Mount Pleasant borough, Westmoreland county, to borrow money, issue bonds, and to increase the rate of taxation so as not to exceed ten mills on the dollar.

SECTION 1. *Be it enacted, &c.,* That the burgess and town council of the borough of Mount Pleasant, in the county of Westmoreland, be and they are hereby authorized and empowered to borrow any sum of money, not to exceed, in the aggregate, the sum of five thousand dollars, at a rate of interest not to exceed six per centum per annum, for borough purposes, and for the improvement of the streets, lanes and alleys thereof, and for the repayment of the same to pledge the faith, credit and property of said borough.

Authorized to borrow money.

SECTION 2. That said bonds shall be of the denomination of one hundred dollars, and shall be payable in seven years, and redeemable at any time after three years from the date of their issue.

Bonds, denomination of and when payable.

SECTION 3. That from and after the passage of this act the said burgess and town council shall be empowered to levy a tax, not exceeding ten mills on the dollar, for municipal purposes.

Tax for municipal purposes.

SECTION 4. That all acts or parts of acts which interfere or are inconsistent herewith are hereby repealed.

Repealing clause.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 678.

An Act

To authorize the erection of a lock-up in the village of Nesquehoning, Mauch Chunk township, Carbon county.

SECTION 1. *Be it enacted, &c.,* That the supervisors of the roads of the township of Mauch Chunk, in the county of Carbon, be and they are hereby authorized and empowered to have built or otherwise provided in the village of Nesquehoning, in said township, a suitable building or place for the security and temporary detention of persons committed by justices of the peace of said township, for any violation of the laws of this commonwealth, and breaches of the peace and good order, for which such person or persons could be lawfully committed to the common jail or prison of said county, there

Supervisors authorized to provide lock-up.

Who may be committed to.

Confinement in,
limited.

to be kept until such offender or offenders can be removed to the common jail or prison of said county, if committed for an indictable offence: *Provided*, That no person shall be confined in said lock-up or building for a longer period at any one time than forty-eight hours, except such person or persons be charged with an indictable offence, and it be necessary to retain such person or persons for a further examination.

May appoint and
pay keeper.

SECTION 2. That the said supervisors shall have power to appoint a proper person to keep the said lock-up, and they are hereby authorized to pay such person for such services, what they may deem just and proper, out of the funds of said township.

How fines dis-
posed of.

SECTION 3. That the fines imposed upon the offenders shall go and be paid to the said supervisors to reimburse said township for the expense of building, providing and maintaining said lock-up.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 679.

An Act

Relating to duties of register in and for the counties of Bedford and Fulton.

Preamble.

WHEREAS, Inventories and appraisements on file are liable to be torn and defaced by age, so as to be unintelligible; therefore,

Inventories and
appraisements to
be recorded.

SECTION 1. *Be it enacted, &c.*, That from and after the first day of April, Anno Domini one thousand eight hundred and seventy-three, all executors, administrators and guardians filing inventories and appraisements in the registers' office, in and for the counties of Bedford and Fulton, shall be required to have the same recorded in a book of record, kept for the purpose by the registers of said counties, for which the said registers shall be allowed a fee of seventy-five cents on all such inventories and appraisements having twenty-five items or less, and one cent additional for each and every item over and above twenty-five therein contained.

Fees.

Commissioners to
furnish blank
books.

SECTION 2. It shall be the duty of the county commissioners of said counties, and they are hereby required, to furnish said registers, at the expense of said counties, such blank books of record as he may require for the performance of the duties enjoined on him by this act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 680.

An Act

To fix the pay of supervisors of roads in Barrett township, Monroe county.

SECTION 1. *Be it enacted, &c.*, That hereafter in the township of Barrett, in the county of Monroe, the pay of supervisors of roads shall be for each day employed, one dollar and seventy-five cents.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 681.

An Act

Authorizing the borough of Parnassus, in the county of Westmoreland, to borrow money.

SECTION 1. *Be it enacted, &c.*, That the borough of Parnassus, in the county of Westmoreland, be and is hereby authorized and empowered to borrow any sum of money, not to exceed in the aggregate, the sum of fifteen thousand dollars, at a rate of interest not to exceed six per centum per annum, for borough purposes, and for the improvement of streets, lanes and alleys thereof, and for the security of the repayment of the same to pledge the faith, credit and property of said borough. Authorized to borrow money.

SECTION 2. That when it becomes necessary to borrow any portion of the amount of money mentioned in the foregoing section, the burgess and town council of said borough are hereby authorized and empowered to issue the corporate bonds of said borough, signed by the burgess thereof, and countersigned by the treasurer, as evidence of said indebtedness. Issue bonds.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 682.

An Act

Relating to the fees of the sheriff of Cumberland county and the commitment of vagrants.

Fees for keeping criminals and vagrants.

SECTION 1. *Be it enacted, &c.*, That hereafter the sheriff of Cumberland county shall be allowed, for those confined as criminals in the jail of said county, at the rate of fifty cents for each day, and thirty cents per day for each and every vagrant committed to the said jail, the bills of which to be verified under oath by said sheriff.

No fee on discharge of vagrants, &c.

SECTION 2. That the sheriff of the said county of Cumberland shall receive no fee for the discharge of vagrants or persons committed for drunkenness or disorderly conduct.

Vagrants may be compelled to work.

SECTION 3. That the commissioners of said county shall have authority to compel each vagrant, during the period of the commitment, to do or perform labor, either in or about the jail or jail yard, or to put them at suitable work anywhere within the limits of said county, without any compensation.

Repealing clause.

SECTION 4. That the act of assembly, entitled "An Act relating to the fees of the sheriff of the counties of Cumberland and Snyder," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven, so far as the same relates to the sheriff of the county of Cumberland, is hereby repealed.

When act to take effect.

SECTION 5. This act shall take effect and go into operation from and after the first day of December, Anno Domini one thousand eight hundred and seventy-three.

APPROVED—The 10th day of April, A. D. 1873.

J F. HARTRANFT.

No. 683.

A Further Supplement

To an act approved the fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act to promote the business of lumbering in the counties of Clinton, Centre, Clearfield and Elk," extending the provisions of the same to the counties of Carbon, Luzerne and Monroe.

SECTION 1. *Be it enacted, &c.*, That the provisions of the act of assembly, approved the fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act to promote the business of lumbering in the

counties of Clinton, Centre, Clearfield and Elk," be and the same are hereby extended to the counties of Carbon, Luzerne and Monroe.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 684.

A Supplement

To an act, entitled "An Act to permit cripples to peddle by procuring a license therefor, in the county of Luzerne," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, defining the manner in which such license to peddle shall be hereafter granted.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the license provided for by the first section of the act of assembly, entitled "An Act to permit cripples to peddle by procuring a license therefor, in the county of Luzerne," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, shall be granted in the manner hereinafter provided, viz: Any person desiring such license, shall make application to the court of quarter sessions by petition, setting forth that he is a citizen of the United States, that he has resided in the State of Pennsylvania for at least five years immediately preceding the time of the said application, that by accident or disease or otherwise, he has become disabled, and on account of such disability, is unable to procure a livelihood by manual labor; and the said petitioner shall make affidavit of the truth of the said petition and shall file with the said petition, a certificate signed under oath by a surgeon of good standing in the borough or township in which said applicant may reside, certifying that he has made a personal examination of the said applicant, and that the said applicant is disabled by disease or accident, or otherwise, and by reason of such disability is unable to procure a livelihood by manual labor.

How license to be granted.

SECTION 2. That it shall be the duty of the said court, on the presentation of such petition, to peruse and examine the same, and if the same appears to be just and lawful, to direct that such license issue under the seal of the said court, for the term of one year: *Provided*, That the said court may require such additional proof of the facts alleged in the said petition and certificate as the said court may deem necessary or expedient: *And provided further*, That no license shall issue under the provisions of this act until the said applicant shall have filed in the office of the clerk of the said court, the county treasurer's receipt for the payment of the license fees required by the act to which this is a supplement, and until the

Duty of the court.

Receipt for license fees to be filed.

Also affidavit.

Fees of clerk.

Repealing clause.

said applicant has filed in the said office an affidavit that he will not hawk, vend or peddle, any goods, wares or merchandise, of which he is not the bona fide owner, and that he will not engage to sell the same for any other person or persons whatsoever; and the clerk of the said court shall be entitled to receive and charge as his fees, the same fees for the said license, now allowed by law in cases of township restaurant licenses.

SECTION 3. That all parts of the act to which this is a supplement, inconsistent herewith, be and the same are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 685.

An Act

To authorize the city of Philadelphia to furnish water to the residents of the township of Springfield, in the county of Montgomery.

WHEREAS, The city of Philadelphia has recently purchased the premises, water pipes and other appurtenances lately belonging to the Chestnut Hill water company :

And whereas, The said water company has furnished water to residents of the township of Springfield, in the county of Montgomery, which residents would be greatly inconvenienced if they should now be deprived of the use of the said water; therefore,

SECTION 1. *Be it enacted, &c.*, That the said city of Philadelphia is hereby authorized to furnish water from the said water works, lately belonging to the said Chestnut Hill water company, to any of the residents of the said township of Springfield, in the county of Montgomery; and the said city shall have and may exercise in the said township of Springfield, any and all of the powers, rights and privileges relating to the laying of water pipes, the assessment of taxes or charges therefor, the filing of claims for the same, the lien of claims, the regulation of the use of the said water and the collection of water rents, which the said city now has, or hereafter may have, under the laws of this commonwealth, in the city and county of Philadelphia: *Provided*, That the claims before referred to, shall be filed in the office of the prothonotary of the court of common pleas of the said county of Montgomery.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 686.

An Act

Requiring the surveyor general to prepare and furnish a certified copy of the map of the reserve tract opposite Pittsburg, for record in the county of Allegheny.

SECTION 1. *Be it enacted, &c.,* That the surveyor general is hereby directed to prepare and furnish for record, in the recorder's office of the county of Allegheny, a certified copy of the map of the reserve tract opposite Pittsburg, and that the fee therefor be paid by the commissioners of said county out of the treasury thereof.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 687.

An Act

Further regulating the fees of district attorney, in the county of Tioga.

SECTION 1. *Be it enacted, &c.,* That in addition to the fees now allowed by law to the district attorney of the county of Tioga, he shall be allowed one dollar for making the commonwealth bill of costs in each case, and three dollars for services upon the each continuance of every case after an indictment shall have been drawn and placed in the hands of the grand jury.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 688.

An Act

Relative to the assessments of poor taxes in the county of M'Kean.

SECTION 1. *Be it enacted, &c.,* That hereafter unseated lands in the county of M'Kean shall be liable to taxation for Poor tax on unseated lands.

the support of paupers: *Provided*, That it shall not be lawful for the overseers of the poor of any poor district in said county to levy a tax to exceed one per cent. per annum, upon the assessed valuation of any unseated lands in said county: *And provided*, That it shall be a misdemeanor in office, punishable by indictment as other misdemeanors in office, for any overseer of the poor in any poor district in said county, to assess any poor tax upon any unseated lands, unless the same shall be necessary at the time of said assessment to maintain persons already declared paupers in the manner now provided by law.

How levied and collected

SECTION 2. That the said tax shall be levied and collected in same manner as road taxes are now levied and collected upon unseated lands in said county.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 689.

An Act

To authorize the school directors of the borough of Riverside, in the county of Northumberland, to borrow money and levy an additional tax.

Authorized to borrow money and issue bonds.

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Riverside, in the county of Northumberland, be and are hereby authorized to borrow any amount of money, not exceeding six thousand dollars, payable at any time, not exceeding twelve years from the passage of this act, and to issue bonds therefor at a rate of interest not exceeding six per centum per annum, signed by the president and secretary of said board of directors, or by a majority of the directors of said school board, for the purpose of purchasing a suitable school building already erected in said borough, and furnishing the same, and putting in proper order the grounds belonging thereto; and said bonds so issued as afore-said shall be exempt from taxation except for state purposes.

Exempt from local taxation.

Authorized to levy additional building tax.

SECTION 2. The school directors and their successors in office are further authorized to levy and collect an additional building tax to that authorized by law, to pay said indebtedness, at such times as they may deem expedient: *Provided*, That the tax levied in any one year for building purposes, shall not exceed two per centum of the assessed valuation of the property of said borough; and the said school directors and their successors in office are further authorized to levy and collect a *per capita* tax for the ordinary school purposes, upon each and every male taxable inhabitant of said borough, not exceeding one dollar in any one year: *Provided*, That

Also a per capita tax.

the powers of the courts to authorize the borrowing of money shall have first been exhausted. Powers of courts to be exhausted.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 690.

An Act

For the payment of a pension to Mrs. Rebecca Knott, widow of Captain Wilson Knott, a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, Mrs. Rebecca Knott, of Blairsville, Indiana county, a very old lady, now in indigent circumstances, is the widow of Captain Wilson Knott, who was a soldier of the war of one thousand eight hundred and twelve, and who was actually mustered in the service of the United States, not a sufficient length of time, however, to entitle his widow to a pension from the United States government:

And whereas, The said widow was married to her said husband before his muster in as aforesaid, in one thousand eight hundred and twelve, and has never again married; therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer be and is hereby authorized and directed to pay to Mrs. Rebecca Knott, the widow of Captain Wilson Knott, a soldier of the war of one thousand eight hundred and twelve, a gratuity of forty dollars and an annuity of forty dollars per annum, payable semi-annually, commencing January first, Anno Domini one thousand eight hundred and seventy-three: *Provided*, That when the said Rebecca Knott receives a pension from the United States, the pension allowed by this act shall cease: *And provided further*, That when the United States government provides for the payment of pensions to such cases this shall cease.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 691.

A Supplement

To an act, entitled "An Act to divide the borough of Towanda, Bradford county, into three wards," approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-two, and to provide for an additional constable in said borough.

SECTION 1. *Be it enacted, &c.*, That so much of section one of the act, entitled "An Act to divide the borough of Towanda

into three wards," approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-two, in so far as it limits the number of justices of the peace of said borough of Towanda, to the same number as though the act had not been passed, is hereby repealed, and the duly qualified electors of said borough of Towanda, are hereby authorized to elect one additional justice of the peace in said borough at the next annual election for borough officers.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 692.

An Act

To empower the court of common pleas of Lancaster county to order the sale of the Ashville meeting house property.

SECTION 1. *Be it enacted, &c.*, That the court of common pleas of Lancaster county, be and is hereby authorized and empowered to order and decree the sale of what is known as the Ashville meeting house, and the tract of land thereunto belonging, situate in the township of Little Britain, county of Lancaster, upon petition of Hart G. Coates, surviving trustee thereof, resident of this State, or his successor or successors; and further, to prescribe the time, manner and terms of such sale, and to direct the distribution of the proceeds arising therefrom, after the payment of all necessary and proper expenses attending the same, to and among the contributors to the fund for the purchase of said tract of land and the erection of said meeting house, and the heirs of such as are deceased, in proportion to the amount of their respective contributions; and further, to require said trustee or trustees to give bond to be approved by said court for the faithful performance of said trust.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 693.

An Act

Relating to costs in criminal proceedings in the county of York.

WHEREAS, In criminal prosecutions the county of York is not now legally liable to pay costs in case of conviction until

the defendant has served out his sentence and been discharged according to law without payment of costs, by reason whereof officers and witnesses are long delayed in recovering their fees, and subjected to great hardship thereby; for remedy whereof,

SECTION 1. *Be it enacted, &c.*, That in all cases of criminal prosecution in the courts, where by law the county of York is now liable to pay the costs of prosecution, including surety of the peace cases, after the conviction of a defendant, upon his discharge according to law, without payment of costs, the said county shall be immediately liable to pay the costs of prosecution as soon as the defendant shall be convicted, without waiting for his discharge according to law, without payment of the same.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 694.

An Act

To authorize the school directors of Wayne township, Armstrong county, to levy and collect a tax, and pay certain bounty indebtedness.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the school directors of Wayne township, Armstrong county, to levy and collect a tax in addition to the school tax in said township, a sum sufficient to meet the indebtedness of said township, in filling the quotas: *Provided*, The tax for this purpose shall not exceed the sum necessary to meet said indebtedness: *Provided further*, That private soldiers and sailors who have been in the service of the United States, and who have an honorable discharge, shall be exempt from the provisions of this act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 695.

An Act

To extend the provisions of an act, entitled "An Act to ascertain and appoint the fees to be received by the several officers of this commonwealth," approved April second, Anno Domini one thousand eight hundred and sixty-eight, to the county of Montgomery.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act to ascertain and appoint the fees to

Act extended

be received by the several officers of the commonwealth," approved April second, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby extended to the county of Montgomery.

Repeal.

SECTION 2. All laws inconsistent with any of the provisions of this act be and the same are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 696.

An Act

To extend the provisions of the general borough laws of this commonwealth to the borough of Troy, in the county of Bradford, and to legalize certain acts done in pursuance thereof.

SECTION 1. *Be it enacted, &c.,* That all the provisions of the act of the general assembly of this commonwealth, entitled "An Act regulating boroughs," approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, together with its supplements, be and the same are hereby extended to the borough of Troy, in the county of Bradford, and all the acts and resolutions of the borough authorities of said borough, which would have been legal and valid under the provisions of said act of assembly, are hereby legalized and made valid the same as if the provisions of said act of assembly had been extended to said borough at the time of said acts and resolutions being made and done.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 697.

An Act

To provide for the construction and maintenance of side-walks in the township of Springfield, Erie county.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act it shall be lawful to construct and maintain, on both sides of any public road in Springfield township, Erie county, Pennsylvania, a side-walk for foot passengers, not to exceed six feet in width.

Construction of
side-walk au-
thorized.

Width.

SECTION 2. That it shall be unlawful for any person or persons to lead, ride or drive any animal or animals, vehicle or vehicles, on or along any such side-walk so constructed, or upon any side-walk heretofore or hereafter constructed by any citizen of said township in front or along his premises, or in any other manner injure or destroy said side-walks; and against every person or persons so offending, any citizen of the road district in which said offence is committed may bring an action, in the name of the township, before any justice of the peace in said county, and upon conviction thereof, the offender shall be fined in a sum, not less than five nor more than ten dollars, and costs, for each offence, which fine shall by said justice be paid to the path-master of said district, which shall by him, or his successor in office, be expended for the construction or repair of the side-walks in his district; and in default of the immediate payment of said fine by said offender or offenders, together with the costs of prosecution, the justice before whom the hearing is had shall commit such offender or offenders to county jail of said Erie county, for a term of not less than twenty nor more than thirty days: *Provided*, That in any action brought as aforesaid, in the name of the township, the prosecutor may be a competent witness.

Driving on or injuries to, prohibited.

Actions may be brought against offenders.

Penalty on conviction.

How appropriated.

When offenders to be committed to jail.

Prosecutor a competent witness.

SECTION 3. That any citizen of said township may plant shade or ornamental trees, or set posts along the outer margin of any side-walk now constructed, or hereafter to be constructed in said township: *Provided*, Said side-walk, heretofore constructed, does not exceed six feet in width.

Citizens may plant shade trees.

SECTION 4. That it shall be unlawful for any person or persons to hitch or tie any animal to any shade or other tree now planted or set out and growing, or that may hereafter be planted or set out on the margin of any side-walk now in said township, or hereafter constructed as aforesaid, or to cut, hack, injure or destroy any such tree or trees, post or posts so planted or set as aforesaid; and any person or persons so offending may be prosecuted and punished as provided in the second section of this act: *Provided*, That the fine so imposed for the injury or destruction of any such tree or post, the path-master of such district shall cause to be expended, so much as may be necessary to replace or renew such injured or destroyed tree or post; and that the overplus thereof, if any, shall be applied as provided in the second section of this act.

Hitching animals to trees or injuring them in any way, prohibited.

Punishment of offenders.

Appropriation of penalties.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 698.

An Act

To authorize the borough of Verona to borrow money for borough purposes.

SECTION 1. *Be it enacted, &c.*, That the burgess and town council of the borough of Verona, of Allegheny county, be and hereby are authorized and empowered to borrow any sum of money not exceeding thirty thousand dollars, at a rate of interest not exceeding eight per centum per annum, and to issue the bonds of said borough to secure the payment of the same, in such manner and in such amounts, and at such times within twenty years from the issuing thereof, as the council of said borough shall determine: *Provided*, That the stock hereby authorized to be issued shall not be sold or disposed of at less than the par value thereof.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 699.

An Act

To establish uniform building lines on Ash street, in the city of Reading, Berks county.

SECTION 1. *Be it enacted, &c.*, That at all times hereafter whenever any building or buildings shall be erected or constructed or re-constructed in or along Ash street, between Washington street and Court street, in the city of Reading, in the county of Berks, uniform lines corresponding with other buildings now erected, which are thirty-one feet and six inches apart from one side of said Ash street to the other side of said Ash street, shall be observed as the building lines of said Ash street.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 700.

An Act

To erect an independent school district from a part of the townships of Beech Creek and Keating, in the county of Clinton, and part of Burnside township, in Centre county.

SECTION 1. *Be it enacted, &c.*, That all the land contained Territory.
in the following warrants, adjoining each other and lying in the townships of Beech Creek and Keating, in the county of Clinton, and the township of Burnside, in the county of Centre, to wit: William Wilson, Martin Withington, Daniel Smith, John Deimer, Cadwalader Morris, Paul Lebo, Benjamin Morris, Flavel Roan, Thomas Moore, John Young, Stephen Moore, Henry Goodheart, Michael Krebs, Robert Irwin, Martin Kuhns, Philip Krebs, Titus King, situated in Beech Creek township, in Clinton county, also V. L. Bradford, a part of William M'Cay, and a part of Micklin & Griffith, number five thousand nine hundred and seventy-five, and a part of number three thousand four hundred and thirty-four, in Keating township, in Clinton county, to include the land within the following lines, to wit: Beginning at a sugar on the northwestern bank of the West Branch of the Susquehanna river, a short distance above the mouth of the Sinnemahoning creek, being the northeast corner of the said tract, in the warrantee name of William M'Cay; thence westwardly along the northern line of said William M'Cay, one half of the official length of said line; thence southwestwardly, by a direct line about three miles, to the southeastern corner of number three thousand four hundred and seventy-six, which is also a corner of number three thousand four hundred and thirty-four; thence west along the northern side of number three thousand four hundred and thirty-four, to its northwest corner; thence south along the western line of said number three thousand four hundred and thirty-four, to a white oak corner on the bank of said river; thence down the river by the several courses and distances thereof to the place of beginning; also the following warrants in Centre county, in Burnside township, viz: J. F. Quay, William Wilson, John Boyd, Jacob Wedener, John Weitzel, John Buyers, John Lyon, John Housel, William Cook, Alexander Bell, Thomas Hamilton, John Davidson, Robert Davidson, Samuel Young, Alexander Hunter, Henry Shafer, John Cowden, James Davidson, William Davidson, Alexander Fullerton, Alexander J. Dallas, William P. Brady, Thomas Grant, William Wallis, are hereby created into a separate and independent school district, to be called the Jones independent school district, with all the rights and privileges that other school districts now or hereafter may be entitled to under the school laws of this commonwealth; and that the qualified voters residing in the said district
Erected into district.
Privileges.

Election of directors.

shall, on the first Monday in June, at the house of James Moore, between the hours of one and six o'clock P. M., elect six school directors, two to serve one year, two to serve two years, and two to serve three years, and annually thereafter on the first Monday of June, in like manner, an election shall be held to elect two school directors for said district, to serve for three years from the first Monday of June; and Alexander Moore is hereby authorized to act as judge, and James Cole and Thomas Perry to act as inspectors, to hold and conduct the first election, and which shall be held as other elections for township officers are conducted; and at said election, the said qualified voters shall also elect one judge and two inspectors, for the ensuing election; and at the said election each year thereafter, a judge and two inspectors shall be elected, which election officers shall be paid out of the treasury of the said independent school district.

Judge and inspectors.

Notice of election

SECTION 2. The judge and inspectors above appointed, and to be afterwards elected, shall give at least ten days public notice of the time and place of said election, by written or printed handbills, put up in three of the most public places in said district.

Directors authorized to levy tax.

SECTION 3. The said school directors are hereby authorized and empowered, in each and every year, at the time of making assessments for state and county purposes, in a separate book to be kept for that purpose, to assess all property, professions, trades, occupations and persons within said district subject to taxation under the school laws of this commonwealth; and the general laws of this commonwealth, relating to the assessment and collection of school taxes upon unseated lands, shall apply to the independent district hereby created; the said school directors are further authorized and empowered to appoint a treasurer and tax collector for said district, and cause said taxes to be collected and applied to the school purposes of said district; said treasurer and collector shall give bail, if required by the directors; and all the aforesaid property, professions, trades, occupations, and persons shall be from any imposition of school taxes by the directors of the aforesaid townships.

Treasurer and collector.

Annual reports.

SECTION 4. The said Jones district shall hereafter make annual reports to the state superintendent of common schools, in the same manner as other school districts are required by law to make reports, and shall be entitled annually to receive its proper quota of the state appropriation to common schools; and said district shall be under the jurisdiction of Clinton county so far as relates to the county superintendent.

State appropriation.

To be under supervision of superintendent of Clinton county.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 701.

An Act

Relative to the storage of powder, et cetera, in the several townships of Cambria county.

SECTION 1. *Be it enacted, &c.*, That it shall be the duty of the supervisors of the several townships of Cambria county, to make such regulations as may be necessary for the proper storage of powder and other combustible and explosive materials in said townships.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 702.

An Act

To extend the provisions of an act regulating party walls in the city of Erie, to the city of Corry, in Erie county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act regulating party walls in the city of Erie," be and the same are hereby extended to the city of Corry, in Erie county.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 703.

An Act

Relating to fines, jury fees, et cetera, due and payable to the county of Cambria.

SECTION 1. *Be it enacted, &c.*, That it shall be the duty of the prothonotary, sheriff and other officers to pay or cause to be paid to the treasurer of Cambria county, all moneys that may be received by them, due to said county of Cambria, from fines, jury fees or other sources, within twenty days after they shall have received the same.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 704.

An Act

For the protection of sheep in Wayne county.

County commis-
sioners to cause
return of dogs to
be taken.

Tax to be levied
and collected.

How appropriated.

Evidence of own-
ership.

Dogs not returned
may be killed.

Assessment of
damages caused
by destruction of
sheep.

To be certified to
county commis-
sioners and file

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, it shall be the duty of the commissioners of Wayne county, and they are hereby required to cause an accurate return to be taken annually by the assessors of the several townships and boroughs within said county, of all dogs over four weeks old, owned or possessed by any person or persons within their respective townships and boroughs, particularly noting the number owned or possessed by each person, and kept about any one house; and when the said commissioners shall have so ascertained the number of dogs aforesaid, they shall levy and cause to be collected annually, from any person or persons owning or possessing one dog, one dollar, and for every additional dog kept about the same house, two dollars, and for every female dog or bitch, three dollars, at the same time and in the same manner as the county levies are collected, and the same fees shall be allowed for collection; and shall be the duty of the county treasurer to keep separate accounts of the money arising from the tax on dogs, and the said money shall be and is hereby appropriated as a fund for the following purposes, viz: First, the fees for the collector shall be deducted; second, the commissioners shall appropriate a sufficient amount of said funds to defray all necessary expense for furnishing books for keeping correct accounts of the damages sustained by persons from dog or dogs, returned to them by the appraisers under this act, and also to furnish blanks like or similar to the one accompanying this act, when called on, to the justices of the peace of the county; third, the balance of said fund for remunerating the inhabitants of said county for any loss they shall sustain, after the passage of this act, by sheep being destroyed or injured by a dog or dogs.

SECTION 2. That every dog kept or staying about any house shall be deemed sufficient evidence of ownership to authorize the assessors to return the person inhabiting said house as the owner or possessor of such dog; and every dog not returned shall be deemed to have no owner, and may be lawfully killed by any person seeing said dog run at large.

SECTION 3. That when an inhabitant of said county shall have any sheep destroyed or injured by a dog or dogs, the appraisers mentioned by this act are hereby authorized and required to view and ascertain the amount of damage sustained by the owner of such sheep destroyed or injured as aforesaid; and when they have ascertained the legality of the claim and the damage so sustained, they or any two of them shall certify the same under their hands and seals of the commissioners of the said county, who shall file and number the same

and make a memorandum of the day when filed, in a book kept for that purpose; and whenever there is any money in the treasury unappropriated for purposes specified in the first and second specifications of the first section of this act, of any money arising from the tax on dogs, they shall draw their warrant on the county treasurer for the amount so certified: *Provided*, That this act shall not be so construed as to repeal any law now in force providing for the collection of damages done to sheep by dogs from the owner or owners thereof: *And provided further*, That it shall be lawful for the county commissioners to cause suit to be brought in the name of the owner or owners of sheep so destroyed or injured, to the use of the county of Wayne, against the owner or owners of such dog or dogs doing the damage to the sheep as aforesaid, and to prosecute the same as is now provided by existing laws; and the money so recovered shall be paid by the commissioners to the county treasurer, to be held by him under the provisions of this act.

Warrant to be drawn.

Not to repeal existing laws.

Commissioners may compel owners of dogs to pay damages committed.

SECTION 4. That when any inhabitant of the county aforesaid shall have any sheep destroyed or injured by a dog or dogs, he or she may make complaint under oath or affirmation to one of the justices of the peace of his or her township or borough, who shall thereupon appoint three judicious disinterested appraisers of said damage, who shall have full power and authority to examine as witnesses any person or persons who shall appear before them, respecting the premises, under oath or affirmation to be by them administered; and it shall be the further duty of the said appraisers, and they are hereby required to ascertain whether the owner of the sheep so destroyed or injured owns, possesses or keeps a dog or dogs about his or her premises, and shall make report of the fact, together with the appraisement of damages aforesaid, to the commissioners of said county; and if it shall appear to the said commissioners that the owner aforesaid did not make a true return to the proper assessor of the said dog or dogs, the said owner shall not receive any part of the said damages, but shall be liable for the justice fees and the appraisers' per diem.

Persons suffering losses may make complaint to justice.

Appraisers to be appointed.

Their powers and duties.

Right to compensation forfeited if dogs are not returned.

SECTION 5. That the persons so appointed appraisers shall severally receive for their services the sum of one dollar per day while engaged in the performance of their duties under this act, which sum shall be added and paid with the damages so appraised; and the said appraisers, after their appointment and before they enter upon the performance of their duties enjoined by this act, shall severally take and subscribe, before the said justice, an oath or affirmation that they will faithfully and impartially perform all of their said duties to the best of their judgment and ability, which said certificate shall be immediately filed in the office of the county commissioners.

Compensation of appraisers.

To be sworn.

SECTION 6. That if any person in said county shall permit any dog or dogs to be kept or remain about his or her premises that is not returned by him or her to the assessor, such person shall be liable to pay a fine of five dollars for each and every dog, to be recovered in a suit in the name of the commonwealth, before a justice of the peace, as debts of like amount are by

Penalty for keeping dogs not returned.

law recoverable, one-half thereof to be paid to the informer, and the other half to be paid to the county treasurer, to be placed by him in the fund of taxes on dogs.

Dogs seen within sheep enclosures may be killed.

SECTION 7. That any dog seen in an enclosure where sheep are kept within said county, worrying or killing sheep, may be lawfully killed.

How surplus tax appropriated.

SECTION 8. That should the fund arising from tax on dogs aforesaid, accumulate in the treasury to an amount beyond what the county commissioners may think necessary to carry out the provisions of this act, they shall have power and they are hereby required, as often as such contingency occurs, to proceed to set apart such surplus for the benefit of the Wayne County Agricultural Society.

Dogs declared personal property.

SECTION 9. That dogs in said county are hereby declared to be personal property, and shall be as much the subject of larceny as any other kind of personal property whatever.

How tax to be levied.

SECTION 10. The commissioners of said county are hereby authorized and required to levy the tax called for by this act on the last assessment of dogs in said county, made previous to the passage of this act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 705.

An Act

To prevent cattle, sheep and swine from running at large in certain districts of Butler and Lawrence counties.

Certain animals not to run at large.

SECTION 1. *Be it enacted, &c.*, That it shall be unlawful, after the first day of April, Anno Domini one thousand eight hundred and seventy-three, for any cattle, sheep or swine to run at large in the township of Venango, Jackson and Slippery Rock, and the borough of Centreville, in the county of Butler, and Taylor township, Lawrence county.

Duty of justices.

SECTION 2. That it shall be the duty of any justice of the peace of the said townships of Venango, Jackson, Taylor and Slippery Rock, and borough of Centreville, upon application of the owner or owners of any land upon which cattle, sheep, or swine may be trespassing, to issue notices to the owners thereof, to remove the same within one day of the serving of such notice; said notice to be served by the most convenient constable.

Duty of constables.

SECTION 3. That it shall be the duty of the constables serving the notices as aforesaid, upon the refusal or neglect of any of the owners of cattle, sheep or swine, to remove the same, to take charge of all such animals and dispose of the

same as provided by the stray laws of Butler county; the justices and constables' costs, for services under this act, to be the same as in similar services in civil suits, and to be paid by the owners of the animals so found trespassing.

SECTION 4. That any cattle, sheep or swine breaking out of an enclosure shall be exempt from the provisions of this act: Exemption.

Provided further, That the owners of any cattle running at large in the borough of Centreville, on the Sabbath day, shall be subject to a fine of one dollar per head; fines to be collected as other fines, and applied to the school fund of said borough. Cattle running at large on the Sabbath.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 706.

An Act

To prevent cattle, horses, sheep, mules and swine from running at large in North Moreland, South Eaton, Eaton township, Wyoming county, Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, no cattle, horses, sheep, mules or swine shall be suffered to run at large, or upon the public roads or highways in North Morland, South Eaton, Eaton township, Wyoming county, Pennsylvania, under a penalty of two dollars for each offence. The boundaries of South Eaton comprise school districts number two and number six, bounded on the east by Susquehanna river, on the south by Northmoreland township line, on the west by school district line number five, until it intersects district line number one, thence to the river. Certain animals not to run at large.

SECTION 2. That it shall be the duty of constable or supervisor of roads of said township, and he is hereby directed and empowered, without any special warrant or authority, other than this act, to seize and secure any animal of the cattle, horse, mule, sheep or swine kind that may be found running at large, as aforesaid, and the same to sell at public sale in the same manner as is now provided by law for selling strays, giving the owner, if he can be found, at least five days' notice previous to such sale. If the said owner shall pay to the constable or supervisor of roads, the said penalty of one dollar, and also pay for the expense of keeping said animal or animals, then it shall be the duty of the constable or supervisor to deliver the said animal or animals to the owner; but if the constable or supervisor of roads shall make a sale, as aforesaid, he shall pay the overplus, after deducting the said penalty and expenses, to the owner; and the constable or supervisor making such seizure shall be al- Penalty. Boundaries. Constable or supervisor to seize and sell animals. When to be returned to owners. Proceeds of sales, how disposed of.

lowed for the same to retain one-half of the penalty, and it shall be his duty to pay the other half to the school treasurer of the township.

Penalty for neglect, &c., of supervisors and constable.

SECTION 3. That if the constable or supervisor of roads shall neglect or refuse to seize, or secure any animal or animals, as aforesaid, found running at large, after being notified to seize and secure the same by any person, such constable or supervisor of roads shall pay a fine of five dollars for the use of schools of the township for every such refusal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 707.

An Act

Extending the provisions of an act, entitled "An Act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties," approved April sixth, one thousand eight hundred and fifty-four, to the county of Perry.

SECTION 1. *Be it enacted, &c.,* That the provisions of an act, entitled "An Act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties," approved April sixth, one thousand eight hundred and fifty-four, be and they are hereby extended to the county of Perry.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 708.

A Supplement

To an act relating to the taxes assessed upon dogs in the county of Clinton, appropriating said taxes to school purposes.

Appropriated to school purposes.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act the taxes assessed and collected upon all dogs, within the limits of the county of Clinton, shall be appropriated for common school purposes instead of for the sheep fund as heretofore provided by law; the same to be divided among the several school districts of the said county, in proportion to the number of the taxable inhabitants in each of the

said school districts: *Provided*, That the provisions of this act shall not apply to the city of Lock Haven.

SECTION 2. That all laws inconsistent herewith be and the same are hereby repealed. Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 709.

An Act

To prevent fishing in the Tiffany pond, in Susquehanna county.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act it shall not be lawful for any person or persons to catch, take or kill any fish in the pond known as the Tiffany pond, situate about one-half mile east of the house of Humphrey Meecy, in Lenox township, in the county of Susquehanna, between the first day of November and the first day of May, in each year; and, also, that it shall be unlawful to fish with a net or seine at any time after the passage of this act. Catching fish out of season, prohibited.

SECTION 2. That any person so offending against the provisions of this act shall, on conviction thereof, pay a fine of five dollars for the first offence, and twenty dollars for each subsequent offence, with costs of suit, to be recovered in the name of the commonwealth, before any justice of the peace having jurisdiction over the place where such offence shall have been committed; such fine, when collected by the justice, to be paid to the treasurer of the school board of said district, for school purposes: *Provided*, There shall be no stay of execution after judgment; and upon failure of any person against whom judgment shall be rendered for offending against the provisions of this act, to pay said judgment forthwith, he shall be committed to the jail of the said county for a period of not less than ten nor more than thirty days. Fishing with nets, prohibited.

APPROVED—The 10th day of April, A. D. 1873. Penalties for violating act.

J. F. HARTRANFT

No. 710.

An Act

To authorize Daniel Rose, John Schlegel and Solomon Billman, as trustees, to sell and convey certain real estate in the township of Washington, county of Northumberland.

Preamble.

WHEREAS, The following congregations of the Lutheran church, to wit: The St. Peter's congregation of Jackson township, the St. Paul's congregation of Jordan township, the Himmel's congregation of Washington township, the St. John congregation of Upper Mahony township, the St. Jacob's congregation of Upper Mahony township, in the said county of Northumberland, have and possess twenty acres of land, with a dwelling house, barn and other out-buildings thereon erected, situate in the township of Washington, in said county, bounded by lands of David Ferster and John Tressler:

And whereas, The said property has become inconvenient to said congregations:

And whereas, The said congregations desire to sell the said real estate for the purpose of avoiding further expenses in repairing the same, the same being in a state of dilapidation, and for the purpose of making a distribution of the proceeds of the sale among all the congregations having an interest in said property, according to the amounts expended by them, respectively, in the purchase and repair thereof; therefore,

Trustees appointed, and authorized to sell real estate.

SECTION 1. *Be it enacted, &c.,* That Daniel Rose, John Schlegel and Solomon Billman are hereby made trustees, and are also hereby authorized and empowered to sell at public sale, certain real estate, being twenty acres of land, more or less, adjoining lands of David Ferster and John Tressler, with the dwelling house, barn and other buildings thereon erected, situate in Washington township, Northumberland county, now owned and possessed by the following named congregations, to wit: The St. Peter's congregation of Jackson township, the St. Paul's congregation of Jordan township, the Himmel's congregation of Washington township, the St. John's congregation of Upper Mahony township, the St. Jacob's congregation of Upper Mahony township, in the county of Northumberland, for the purpose of making a pro rata division of the proceeds of the sale among the said congregations, in such proportions as they may be respectively entitled to receive according to the amount expended by them in the purchase and repair of said property, and to make and deliver to the purchaser or purchasers thereof, a good and sufficient deed for the same.

How proceeds disposed of.

SECTION 2. The said trustees are hereby authorized and empowered, upon the sale of the said real estate and the receipt of the purchase money, and after the payment by them of the expenses incurred by the sale, and the payment of any

debts against said property, to divide the balance of the proceeds of sale among the said congregations as aforesaid: *Provided*, That the sale made in pursuance of this act, shall be first approved by courts of common pleas of the county where the land is situate, and before approval, security given for application of the proceeds, to be approved by said courts.

Sale to be approved
by the court of
common pleas.

Security to be
given.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 711.

An Act

To authorize Peter J. Little, a justice of the peace, to reside in the borough of Loretto, Cambria county, and act as justice of the peace in and for the township of Allegheny, in said county, for two years from March fourteen, Anno Domini one thousand eight hundred and seventy-five.

SECTION 1. *Be it enacted, &c.*, That it shall and may be lawful for Peter J. Little, now a justice of peace in the township of Allegheny, Cambria county, to reside in the borough of Loretto, in said county, and to act as justice of the peace in and for the said township of Allegheny, for two years, commencing on the fourteenth day of March, Anno Domini one thousand eight hundred and seventy-three, and terminating on the fourteenth day of March, Anno Domini one thousand eight hundred and seventy-five.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 712.

A Further Supplement

To an act, entitled "An Act to extend the provisions of an act for the protection of sheep in certain counties," approved eighth day of April, Anno Domini one thousand eight hundred and sixty-two, to the counties of Armstrong and Westmoreland," approved April third, one thousand eight hundred and sixty-seven, to apply the proceeds of tax on dogs in Westmoreland county pro rata, for the year one thousand eight hundred and seventy-three, and thereafter, to school purposes.

SECTION 1. *Be it enacted, &c.*, That the fund arising from the taxation of dogs in Westmoreland county, for the year

one thousand eight hundred and seventy-three, shall be applied pro rata to the claimants for said fund according to the amounts of claims, and that thereafter the said dog tax shall be collected by the collectors of school taxes in the several boroughs and townships of said county, and paid into the treasury of each of said respective school districts for school purposes.

APPROVED—The 10th day of April, 1873.

J. F. HARTRANFT.

No. 713.

An Act

To legalize the bonds issued by the school directors of the township of Packer, in the county of Carbon.

WHEREAS, The school directors of the township of Packer, in the county of Carbon, by virtue of a provision of an act of assembly, approved May eighth, one thousand eight hundred and fifty-four, did borrow the sum of one thousand two hundred and fifteen dollars for the building of a new school house in said township, for which sum they issued their bonds bearing interest at the rate of six per cent. per annum, to wit: One bond for three hundred dollars, payable at six months; one bond for five hundred dollars, payable at eighteen months, and one bond at four hundred and fifteen dollars, payable in two years, which said bonds were offered for sale without purchasers, owing to the low rate of interest; that it was found necessary to increase the rate of interest to eight per cent., and the bonds were disposed of bearing interest at the rate of eight per cent.; therefore

SECTION 1. *Be it enacted, &c.*, That the bonds or certificates of indebtedness, issued as aforesaid, by the school directors of the township of Packer, in the county of Carbon, to the amount of one thousand two hundred and fifteen dollars, bearing interest at the rate of eight per cent. per annum, are hereby made and declared to be valid, and of the same force and effect as if the said school directors had full power and authority to have issued said bonds, at said rate of interest, and that the said school directors are hereby authorized to settle up and pay off said bonds in the same manner as if said bonds had been issued by virtue of an order and decree of the court of common pleas of Carbon county, under the act of the general assembly, approved April twenty-first, one thousand eight hundred and seventy-one.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 714.

An Act

To incorporate the Bradford Railroad Company.

SECTION 1. *Be it enacted, &c.,* That Thos. A. Scott, George D. Montanye, James M. Smith, Wm. T. Davies, John Passmore, John S. Madden, R. M. Manley, E. W. Colwell, B. W. Clark, J. D. Cameron, B. S. Bentley, B. S. Dartt, J. W. Woodburn and John A. Coding, or a majority of them, be and they are hereby appointed commissioners, and they are hereby authorized to open books, receive subscriptions, and organize a company by the name, style and title of the Bradford Railroad Company, with all the powers, and subject to all the provisions and restrictions not inconsistent with this act, prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of said company shall consist of ten thousand shares of one hundred dollars each : *Provided*, That the said company may, from time to time, by a vote of a majority of the directors, at a meeting called for that purpose, increase the capital stock, if it shall be deemed necessary, to an amount sufficient to carry out the true intent and meaning of this act, for the purpose of building and equipping said railroad : *And provided further*, Such increase of capital stock shall not exceed the sum of one million dollars.

SECTION 3. That said company shall have the right to construct and operate a railroad, with single or double tracks, between such point on the Northern Central railroad, in the vicinity of Canton borough, or Granville Summit, in the county of Bradford, to be determined by a majority of the directors hereinafter provided for, and some point at the state line of Pennsylvania and New York, east of the township of Litchfield, with power to connect with any railroad now constructed or hereafter to be constructed in the state of New York or Pennsylvania, by such route or routes as may be deemed expedient, with power to construct and maintain all necessary buildings and equipments, and to build and operate branches, not exceeding each thirty miles in length, and to connect such branches with any other railroad now or hereafter to be constructed in this or the adjoining state of New York, as above mentioned.

SECTION 4. That the president and directors of said company shall have power to borrow money, from time to time, in such sums and at such rates of interest as they may think proper, not exceeding seven per centum per annum, for the construction of said railroad and the procuring of the rolling stock and equipments ; to pay for the same or any part thereof by bonds, mortgages, or otherwise, for the payment of the

Bonds, denomination of, &c.

same: *Provided*, That the said company shall not issue bonds for a less denomination than one hundred dollars; and the said bonds may be convertible into capital stock of said company, at the option thereof of the holder, or otherwise, as the said president and directors may elect.

By-laws.

SECTION 5. That the said company shall have power to make such by-laws as they may deem suitable, to carry out the objects of the corporation and the government of the same, and the same to alter, amend, add to or repeal at their pleasure, and to adopt a common seal and to alter the same; the said corporation may have power to unite or connect by contract, or lease, sale, merger, or otherwise, with any other corporations, railroad or canal company, or to form a union with them, and the stock thereupon may form a common stock, upon such terms or conditions as the said companies or associations may agree upon; and when such union shall be effected, and a true copy of the agreement made shall have been filed in the office of the secretary of the commonwealth, the stockholders of the said company shall become one body politic and corporate under such name and title as they shall adopt and agree upon, and embody in their certificate, with all the rights and privileges of the respective corporations or associations.

Seal.

Power to merge, &c.

Directors.

SECTION 6. That the corporators named in this act shall elect persons to serve as directors of the company, of such number and at such times, and of such qualifications as may be prescribed by the by-laws, who shall hold their office until their successors are elected; and the directors shall elect a president, treasurer, secretary, and such other officers as may be deemed expedient and necessary.

President, treasurer, &c.

Corporations may subscribe to stock or endorse bonds.

SECTION 7. That any incorporated company shall have power to subscribe to the stock of said company, or endorse the bonds thereof, and shall be represented at the meetings and elections of said company by such persons as may be designated by the governing power of such subscribing or endorsing corporations.

May use sections of five miles when completed.

SECTION 8. That whenever any section of five miles of said railroad shall have been completed, the said company may use, employ and enjoy the same in the same manner as when the entire length thereof shall have been completed.

Of the settlement of land damages, &c.

SECTION 9. That in all cases when said company and the owners of land and material cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay or cause to be paid such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, assessed according to law; and in case the party or parties claiming damages refuse to accept the bond or bonds tendered by said company, the said company may cause the same to be presented to the court of common pleas of the county in which the bonds lie, or the material are taken; and that the said court or judges, if the amount and security be deemed sufficient, shall endorse thereon, "approved and ordered to be filed;" and

thereupon the said company shall have the like rights and privileges as they would have by this section, if the said bonds had been accepted by the owners of the lands or materials: *Provided*, That the building of said railroad shall be commenced within five years, and to be completed within ten years: *Provided further*, That if the whole is not built within said period, such omission shall not affect the corporate rights, powers and privileges of this company, as to such parts of said railroad that may be built.

Commencement
and completion

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 715.

An Act

Relating to the payment of election boards holding elections for school directors in the independent school districts, in the county of Wyoming.

SECTION 1. *Be it enacted, &c.*, That hereafter the pay of the election officers for holding elections in the independent school districts in the county of Wyoming, for school directors of said districts, shall be paid out of the school fund of the respective district.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 716.

An Act

To punish persons for carrying concealed weapons in the county of Northampton.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, any person within the limits of the county of Northampton, who shall carry any fire-arms, slung-shot, dirk-knife or other deadly weapon, concealed upon his person, with intent therewith, unlawfully and maliciously to do injury to any other person, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to

Punishment for
carrying concealed
weapons.

undergo solitary confinement at labor, in the prison of said county, for a period not exceeding one year, and pay a fine not exceeding one hundred dollars, or either or both, at the discretion of the court, and the jury trying the case may infer such intent as aforesaid from the fact of said defendant carrying such weapon in the manner as aforesaid.

Duty of officers making arrests.

SECTION 2. It shall be the duty of any constable or other officers arresting any person for drunkenness or disorderly conduct, upon whose person any such weapon as aforesaid may be found, to enter complaint before any magistrate against any person for violating the provisions of this act, and no officer making any complaint as aforesaid, shall in any event become liable for any costs arising out of said prosecution.

Not liable for costs.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 717.

An Act

Authorizing the school directors of the borough of Sunbury to borrow money and issue bonds therefor.

Authorized to borrow money and issue bonds.

SECTION 1. *Be it enacted, &c.*, That the board of school directors of the borough of Sunbury, and the county of Northumberland, be and they are hereby authorized to borrow any sum of money not exceeding thirty-five thousand dollars for a term not exceeding ten years, and to issue bonds, with or without interest coupons attached, for the same, signed by the president and attested by the secretary, in sums not less than one hundred dollars, bearing interest at a rate not exceeding seven per centum per annum, payable semi-annually, for the purpose of calling in bonds previously issued under former acts, and payment of lot or lots, and erection of buildings thereon for the use of the common schools of said district.

Repealing clause.

SECTION 2. That all acts or parts of acts heretofore passed, authorizing the school directors of said district to borrow money and issue bonds, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 718.

An Act

To authorize the more prompt collection of taxes in the county of Cumberland.

SECTION 1. *Be it enacted, &c.,* That hereafter it shall be the duty of the commissioners of the county of Cumberland, in each and every year, immediately after the assessment of taxes for State and county purposes shall be completed, in the manner prescribed by law, to cause their clerk to make fair duplicates thereof, in a convenient form, and deliver the same to the treasurer of said county, together with a certificate under their hands respectively, and attested by their clerk, certifying that the taxes charged in said duplicates have been duly assessed according to law.

Duties of county
commissioners.

SECTION 2. That it shall be the duty of the county treasurer of said county, after he shall receive the duplicates of the assessments from the county commissioners, as hereinbefore provided, to give at least thirty (30) days' notice, by weekly publication in one or more newspapers printed in said county, of the times and places at which he will attend in each township and borough in said county, for the purpose of collecting and receiving state and county taxes, and it shall be the duty of the said treasurer to attend at least one or more days in each township or borough in said county, for the purposes aforesaid, previous to the first day of August, in each year, and he shall give receipts for taxes in all cases where required by the person paying the same.

Duties of county
treasurer.

SECTION 3. In case any state and county tax assessed in any township or borough within said county, shall remain unpaid for a period of thirty (30) days from and after the first day of August aforesaid, it shall be the duty of the treasurer to issue his warrant under his hand, accompanied by a schedule of all such unpaid taxes, and the names of the persons, respectively, to whom the same are charged in the proper duplicates, directed to the constable of the proper township or borough, whose duty it is hereby made to receive the same, authorizing and requiring him to demand and receive from the persons named in the schedule, the sums with which they are therein charged respectively; and the said warrant shall further authorize and require such constable, in case any person named in the schedule thereto annexed shall fail to pay the amount with which such is therein charged, within ten days after demand therefor made by such constable, to levy the same by distress and sale of the goods and chattels of such delinquent, giving ten days' public notice of such sale by written or printed advertisements; and in such case the constable shall be entitled to retain out of the proceeds of such sale, after deducting the taxes, the same fees as are now allowed to constables by law for a levy and sale upon a writ of execution.

In case of non-payment of taxes, treasurer to issue warrant to constable.

To charge constable with schedule of taxes.

SECTION 4. That upon the delivery, by the county treasurer, of his warrant to any constable, according to the provisions of this act, he shall charge such constable with the whole amount of taxes contained in the schedule thereto annexed, in a book to be provided for the purpose, from which liability such constable and his sureties, under the provisions of this act, shall only be discharged by payment of said amount, after deducting such exonerations as may be allowed to such constable, and certified to the said treasurer by the county commissioners, for mistakes, indigent persons, unseated lands, and other cases wherein exonerations are now by law allowed to collectors of taxes.

To require security.

SECTION 5. That it shall be the duty of the treasurer of said county of Cumberland to require from each constable a bond, in the name of the commonwealth, in such sum and with such securities as shall be approved by the said treasurer, conditioned for the faithful discharge of the duties imposed upon such constables by this act, and for the payment to the proper county treasurer of the full amount of taxes contained in any warrant and schedule which shall be delivered to them, or any of them, by the county treasurer of said county, after deducting exonerations, within four months from and after the date of the delivery of any such warrant as aforesaid.

Duty of constable

SECTION 6. That it shall be the duty of constables who shall receive warrants from the county treasurer of said county, under the provisions of this act, to settle their accounts, obtain their exonerations and five per centum commissions on all taxes collected by them, and pay over to the treasurer of said county all moneys collected by them in pursuance of said warrants, within four months from and after the day of delivery of such warrant by the treasurer issuing the same, and shall also be by him entered in a book, to be by him kept for that purpose, which book, verified by the oath or affirmation of any credible person proving the hand-writing of such treasurer, shall be complete evidence to establish the fact of delivery of any warrant or warrants to any constable or constables, as aforesaid, in any court of law in this commonwealth.

Day of delivery of warrant to be entered in book.

Duty of constable to make settlement and payment.

SECTION 7. That in case any constable shall fail to make settlement and payment required in the preceding section of this act within the time aforesaid, it shall be the duty of the treasurer of said county immediately to cause an action of debt to be brought upon the bond of each constable, in the name of this commonwealth; and if, upon the trial of any suit, it shall appear that such constable has not complied with the provisions of this act, judgment shall be rendered against the defendants therein for the amount for which such constable is delinquent, together with interest at the rate of twelve per centum per annum from and after the expiration of the aforesaid period of four months, and all costs of suit; and in all such cases there shall be no stay of execution, or other stay, any law to the contrary notwithstanding; but it shall be the duty of the said treasurer to prosecute such judgment to execution and satisfaction without delay.

SECTION 8. That if any treasurer or constable shall fail or refuse to perform any of the duties required of them, respectively, by this act, he or they shall, for every such offence, forfeit and pay a fine of fifty dollars, which shall be recoverable in the name of the commonwealth, at the instance of any person who will sue therefor, in the same manner as debts of like amount are now by law recoverable, with costs of suit, and one moiety thereof shall be paid into the treasury of the commonwealth, and the residue to the person suing for and recovering the same.

Penalty on treasurer and constable for refusing to perform duties.

SECTION 9. That in lieu of the percentage now received by the treasurer of said county on state taxes by him paid into the state treasury, he shall hereafter be entitled to deduct and retain out of the gross of moneys collected and received by him for the use of the commonwealth under the provisions of this act, the sum of six per cent. on the amount accounted for and paid over by him to the state treasurer, four per cent. of which shall be passed by him to the credit of the county.

Treasurer's compensation.

SECTION 10. That it shall be the duty of the commissioners of the said county of Cumberland, to deliver the duplicates of assessments to the county treasurer on or before the first day of May, in each and every year.

When duplicates to be delivered.

SECTION 11. That in all cases where the constables of any township or borough shall fail to give security as provided by this act, on or before the first day of September, in each year, the said treasurer is hereby authorized to appoint a collector in his stead, who shall, on giving security as required of constables, proceed with the power and authority to perform the duties of constable under this act.

When collector may be appointed.

SECTION 12. That hereafter it shall be lawful for the county commissioners of the county of Cumberland, to add five per centum to the state and county taxes of each and every taxable person of said county remaining unpaid on the first day of August, Anno Domini one thousand eight hundred and seventy-three, and of each year thereafter, and collect the same in the same manner in which state and county taxes are now recovered and collected in said county.

Five per cent. may be added to taxes of delinquents.

SECTION 13. That all laws or parts of laws which are altered or supplied by or are inconsistent with the preceding sections are hereby repealed.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 719.

An Act

In relation to the method of keeping the dockets of the courts of Cambria county.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act it shall be the duty of the prothonotary

and clerk of the courts of Cambria county, to clearly note on the margin of the dockets opposite the record of each and every case which may appear on said docket, the different items of costs legally chargeable to such case or cases.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 720.

An Act

Relating to the return days of the several courts of Dauphin county.

Return days.

SECTION 1. *Be it enacted, &c.*, That in lieu of the return days now fixed by law for the court of common pleas of Dauphin county, all writs of summons, *capias*, *scire facias* issued out of said court, shall be made returnable on the fourth Monday of each and every month, except the months of January and November, when they shall be made returnable on the first day of the terms of said courts in said months: *Provided*, That there shall be no return days in the month of July, and that said writs shall be made returnable to the return day next succeeding the date thereof, unless the same be issued within ten days preceding such return day, in which case the same shall be made returnable to the next succeeding return day: *And provided further*, That writs of *fieri facias*, *venditioni exponas* and *levari facias*, shall be made returnable only on the first day of the several terms of said courts.

Judgment in default of appearance.

SECTION 2. That it shall be lawful for the plaintiff, in any writ of summons or *scire facias*, issued under the provisions of this act, having filed his declaration or statement on or before the return day, to take judgment thereon in the prothonotary's office for default of appearance, on and after the Friday next succeeding the day to which said writ of summons or *scire facias* is returnable: *Provided*, That the said summons or *scire facias* shall have been served upon the defendant therein at least ten days before the return day thereof; and if the said summons or *scire facias* shall not have been served at least ten days before the return day, then said judgment may be taken on and after the fourteenth day next succeeding the service thereof: *Provided*, The said writ shall have been issued ten days before the return day.

Repeal.

SECTION 3. That this act shall go into effect on and after the fourth Monday of April, in the year of our Lord one thousand eight hundred and seventy-three; and all laws inconsistent herewith are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 721.

An Act

Extending the provisions of an act, entitled "An Act relating to boarding-house keepers in the county of Allegheny," approved March sixteenth, one thousand eight hundred and seventy-two, to Westmoreland county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act relating to boarding-house keepers in the county of Allegheny," approved March sixteenth, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby extended to the county of Westmoreland.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT

No. 722.

An Act

Repealing an act, entitled "An Act to regulate fences, et cetera, in the counties of Bedford, Northumberland, Westmoreland, Washington and Fayette," so far as the county of Bedford is concerned.

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act to regulate fences and to appoint appraisers in each of the townships in the counties of Bedford, Northumberland, Westmoreland, Washington and Fayette," approved March twenty-seventh, one thousand seven hundred and eighty-four, be and the same is hereby repealed so far as the same relates to the county of Bedford: *Provided*, That the provisions of this act shall not affect the present county of Huntingdon, which at the time aforesaid was embraced with said county of Bedford.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 723.

An Act

Relating to the compensation of the sheriff of Mifflin and York counties for boarding prisoners in the county jails.

SECTION 1. *Be it enacted, &c.*, That the court of quarter sessions of the peace of the counties of Mifflin and York shall have the power to increase or decrease, from time to time, the compensation of the sheriffs of said counties, for boarding prisoners in the county jail, and fix the sum at any amount which said court may think reasonable and just, and it shall be the duty of the county commissioners of said counties to pay to the sheriff, coroner or jailor the amount so fixed by said court.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 724.

An Act

To enable the school directors of the borough of Lewisville, in the county of Potter, to establish a graded school, and to authorize the trustees of the Ulysses academy, to convey certain real estate to said school district.

Preamble.

WHEREAS, At a meeting of the stockholders of Ulysses academy, convened according to due public notice, on the eleventh day of October, Anno Domini one thousand eight hundred and seventy-two, the following motion was unanimously passed, namely: *Resolved*, That the stockholders of Ulysses academy transfer to the school district of the borough of Lewisville, the land, building, and all property belonging to said academy, on condition that the said school district establish and maintain in said academy a good graded school of at least three grades, not less than eight months in each school year:

And whereas, The legal title to said academy property is now vested in Moses Hackett, Willett Lyon and Lewis Golden.

Trustees to convey property.

SECTION 1. *Be it enacted, &c.*, That the said Moses Hackett, Willett Lyon and Lewis Golden, or a majority of them, are hereby authorized and required to convey by a good and sufficient deed, the land, building and all property belonging

to the Ulysses academy to the school district of the borough of Lewisville, in the county of Potter, to be occupied as a graded common school: *Provided*, That the school directors of said borough shall establish and maintain a graded school in said academy building, of at least three grades, not less than eight months in each school year: *And provided further*, That on failure to do so, the property shall revert to the original stockholders, and the said borough shall be entitled to receive a fair compensation for all permanent improvements made by the school directors of said borough, on the academic property.

Proviso.

Proviso.

SECTION 2. That the school directors of the borough of Lewisville aforesaid, are hereby authorized to levy and collect annually, a school tax not exceeding twenty-six mills on the dollar of the assessed valuation of all property in said borough, made or to be made taxable for county purposes.

Tax for school purposes.

SECTION 3. That the school directors of the Lewisville school district aforesaid, are hereby authorized to charge a tuition fee for all scholars entering the high school department of the graded school, and for all scholars entering any department of or grade of said school, whose lawful residence is without the limits of the said school district, and to enforce the collection of the same by refusing admission until the said fee is paid.

Directors may charge tuition fee.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 725.

A Further Supplement

To an act, entitled "An Act to incorporate the Farmers' and Miners' Railroad Company," approved the seventeenth day of March, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.*, That the said company may, from time to time, by vote of the stockholders at a meeting called for that purpose, or at any annual meeting, increase the capital stock thereof to any amount not exceeding thirty thousand dollars for each mile of railroad intended to be built.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 726.

An Act

Extending to the township of Colley, in the county of Sullivan, the provisions of an act relative to road laws, approved fourteenth February, one thousand eight hundred and sixty-seven.

Act extended to
Colley township.

SECTION 1. *Be it enacted, &c.,* That the provisions of an act, entitled "An Act relative to the road laws in townships in Sullivan county," approved fourteenth day of February, Anno Domini one thousand eight hundred and sixty-seven, and the supplement thereto, approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, providing for settlement of accounts, on the second Monday or April, in each and every year, be and the same are hereby extended to the township of Colley, in the county of Sullivan.

First election fixed

SECTION 2 That the first election of officers under this act shall be held at the usual townships election, in February, Anno Domini one thousand eight hundred and seventy-four.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 727.

An Act

To authorize the school directors of Penn township, in the county of Allegheny, to levy and collect a special tax for the purpose of erecting a town hall.

Authorized to levy
special tax.

SECTION 1. *Be it enacted, &c.,* That the board of school directors of Penn township, Allegheny county, are hereby authorized and empowered to levy and collect, in the same manner school taxes are now levied and collected, a special tax, not exceeding two (2) mills on the dollar of the assessed valuation of the property of said township, for the purpose of erecting or purchasing a town hall, to be used as a place for holding public meetings and elections, and for other township purposes.

May contract for
purchase or erection
of building.

SECTION 2. The said board of school directors are hereby authorized to contract for the purchase or erection of said buildings, to be used for the purpose aforesaid, and to be located in some suitable and convenient place in said township,

in the same manner as they are now empowered by law to erect school buildings.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 728.

An Act

Relating to the duties of the prothonotaries, registers and recorders of Erie county, directing the manner of keeping judgment dockets and indexes in their respective offices.

SECTION 1. *Be it enacted, &c.,* That the prothonotary of the court of common pleas of Erie county is hereby authorized and required to keep the judgment docket for said court, and the indices containing the names of plaintiffs and defendants in said court, according to such improved method or system of indexing as the court of common pleas of Erie county may adopt, and the register and recorder of said county is also hereby authorized and required to keep all indexes required by law in his office according to said method and system so adopted; and the said officers are authorized to change and transfer the entries in any of the indexes or judgment dockets required by law in their respective offices into new dockets and indexes made and arranged in accordance with said system and method so adopted, whenever the court of common pleas of said county shall order the same to be done; and authority is hereby given to said court to make such order, from time to time, whenever said court shall be of opinion that such order should be made, and such transferred entries shall be valid to all intents and purposes: *Provided,* That nothing herein contained shall require any of said officers to commence the keeping of said dockets and indexes according to said method and system so adopted, before the first day of June, one thousand eight hundred and seventy-three, but they are, however, hereby authorized so to commence at any time before said day.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 729.

An Act

Relative to hucksters in the county of Snyder.

Hucksters to be
licensed.

SECTION 1. *Be it enacted, &c.,* That hereafter no person or persons shall buy or barter for within the limits of the county of Snyder, as a hawker or pedler, any butter, eggs, dried fruit, veal or other articles of produce, with intent to send the same for sale or barter to any market or place out of the said county, without first obtaining a license so to do, and paying therefor to the treasurer of said county of Snyder, for the use of the said county; the sum to be paid for such license by each person residing out of said county, shall be forty dollars per annum, and by each person or firm residing within the said county, the sum to be paid shall be twenty dollars, and on payment of such sum said treasurer is hereby authorized to grant such license.

Price of license.

Penalties for vio-
lation of act.

SECTION 2. Any person or persons violating the provisions of this act shall, each person for each violation, forfeit to said county the sum of fifty dollars, and any alderman or justice of the peace of said county, on view, or on oath or affirmation of any other person, shall and in either case is hereby required to proceed in a summary way against such person or persons so offending, to a conviction, and in default of immediate payment of said forfeiture with costs, to commit him or them to the jail of said county, there to be detained until discharged by due course of law; one-half of said penalty shall go to the informer and the other half to said county, and such informer, notwithstanding his interest, shall be a competent witness.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 730.

An Act

Authorizing the city of Altoona to charge lot owners with water rates

SECTION 1. *Be it enacted, &c.,* That the common council of the city of Altoona shall, on the first (1st) day in May, of each and every year, (on which said council shall meet,) fix and establish the water rates for the current year; and each and every owner of a house or houses, building or buildings, lot or lots within the said city, and located on a street along

which water mains have been or may hereafter be laid out, and of which a supply of water can be had by the owners thereof at their pleasure, shall be charged with and held liable for such water rates as the said council shall have ordained or established; and said rates shall be a lien on the real estate of said owners thereof respectively, and the city solicitor may file a lien for the same in the court of common pleas of Blair county, which lien when so filed shall have priority to any mortgage, judgment, recognizance or liability to which said lot or lots may become subject after such indebtedness shall have accrued; and the said amounts, respectively may be recovered by *scire facias*, as debts are recoverable under the mechanics' lien law of the state, in the corporate name of said city: *Provided*, That such lien shall be filed within three (3) months after such indebtedness shall have accrued: *And provided further*, That persons, owners of houses, buildings or lots not using the said water, shall only be charged at the half minimum rates of water supply.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 731.

An Act

Authorizing the city of Altoona to borrow money.

SECTION 1. *Be it enacted, &c.*, That the corporate authorities of the city of Altoona, be and they are hereby authorized to borrow, from time to time, within three years, on the faith and credit of the city of Altoona, a sum of money, not exceeding one hundred and fifty thousand dollars, in amounts not exceeding fifty thousand dollars annually, to be applied to sewers and other permanent improvements, and payment of the outstanding indebtedness of the city, and to issue therefor, coupon or registered bonds of the city, redeemable at the pleasure of the corporate authorities of the said city, after ten years, and payable in thirty years from the date thereof, in lawful money of the United States, and bearing an annual interest not exceeding seven (7) per centum, payable semi-annually.

Authorized to borrow money and issue bonds.

SECTION 2. The said bonds shall be of such form and of such denominations, not less than one hundred dollars, as the corporate authorities may direct, and shall bear the written or engraved signatures of the mayor of the city, president of the common council, and attested by the secretary thereof, and also, as evidence of lawful issue, the imprint of a copy of the corporate seal of the city.

Bonds. Form of &c.

Exempt from local taxation.	SECTION 3. The said bonds shall be exempt from the payment of all taxes in any form, by or under municipal or local authorities.
Credit of city pledged for redemption of.	SECTION 4. The faith and credit of the city of Altoona is pledged for the due payment of the interest and the redemption of the principal of said loan.
Authorized to levy special tax.	SECTION 5. The said corporate authorities are authorized to levy a special tax not exceeding four (4) mills on the dollar, annually, on all taxable persons and property of said city, for the purposes of this act; and all taxes so paid shall be set apart as a special fund, and shall be applied as follows, viz:
How applied.	First, to the payment of the interest, in lawful money, on the bonds of this loan; secondly, to the purchase or payment of not less than three (3) per centum of the outstanding principal of this loan, to be made within each year after the first day of May, Anno Domini one thousand eight hundred and eighth-three, which is to be set apart as a sinking fund, and an amount equal to the interest on all bonds belonging to said fund, shall in like manner be applied to the purchase or payment of this loan.
Payment of bonds, relative to.	SECTION 6. The payment of any of the bonds hereby authorized, which shall have become redeemable by the terms of their issue, shall be made in amounts to be determined, from time to time, by the corporate authorities of said city; the bonds so to be paid to the indicated, and specified by their date and number in the order of their number and issue, beginning for each successive payment with the bonds first numbered and issued; of the time of which intended payment or redemption, the corporate authorities shall give public notice; and the interest on the bonds so selected and advertised to be paid, shall cease at the expiration of six (6) months from date of such notice.
How expenses of engraving, &c, to be paid.	SECTION 7. The necessary expenses of engraving, printing and preparing the bonds hereby authorized, and of disposing of the same to subscribers and purchasers, shall be paid out of the proceeds of this loan.
Bonds redeemed, &c., to be recorded, cancelled and destroyed.	SECTION 8. All bonds applied to said sinking fund, and any other, redeemed or paid in any other manner by the corporate authorities of said city, shall be recorded, cancelled and destroyed; and the amount of the bonds that have been so cancelled and destroyed, shall be deducted from the amount of the outstanding bonds of this loan.
Fund to be kept separate.	SECTION 9. All the moneys and taxes herein provided for shall be kept separate and distinct from other moneys of said city; and the corporate authorities shall appoint a receiver,
Receiver to be appointed.	who shall hold said fund, subject to the direction and control of said corporate authorities; and all payments and disbursements shall be made by orders drawn on said receiver, said orders to be signed by the president of council, and countersigned by the secretary; and it is further provided, that the said receiver under this act shall receive no compensation for his services.
How payments to be made.	

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 732.

An Act

Appointing commissioners to run and establish the line between the counties of Warren and M'Kean, and for other purposes.

SECTION 1. *Be it enacted, &c.,* That C. L. Knapp, of Warren county, G. W. Starr, of Erie county, and H. D. Hamlin, of M'Kean county, be and they are hereby appointed commissioners to run, mark and permanently fix the boundary line between the counties of Warren and M'Kean, and also to run and mark the state line from the Allegheny river east, to some point where it is now plain: *And provided also,* That said commissioners shall mark the said boundary line of said counties as run and fixed by them, at its intersection with each of the highways of said counties, with suitable blocks of stone to be set into the ground at least two feet: *And provided further,* That in the event of the inability or refusal to act of any one of said commissioners, the other two are hereby authorized and empowered to supply such vacancy by appointing another person to act as commissioner in his place.

Commissioners appointed.

How line to be marked.

Vacancies.

SECTION 2. That the said commissioners shall make a survey and draft of the boundary line so run and fixed by them, and shall file a copy thereof duly certified to by them in the proper office in each of the said counties of Warren and M'Kean.

Draft to be filed.

SECTION 3. That said commissioners shall receive for their services in the premises, the sum of five dollars each per day for the time they are actually employed upon the duties of their appointment, and that the expenses incurred for the running and fixing of said boundary line shall be paid equally by the said counties of Warren and M'Kean: *Provided,* That before the report of said commissioners take effect it shall be approved by the court of common pleas of Warren and M'Kean counties.

Compensation.

Expenses.

Report to be approved by court.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 733.

An Act

For the relief of James Downey, of Indiana county.

WHEREAS, James Downey, when acting as fireman of a locomotive on the Allegheny Portage railroad, in the year one thousand eight hundred and thirty-nine, as an employee of

the state, lost one of his legs in an effort to save the property of the commonwealth.

And whereas, The said James Downey has never received any aid from the state for the loss he sustained ; therefore,

SECTION 1. *Be it enacted, &c.,* That the state treasurer be and is hereby authorized and required to pay James Downey, of Indiana county, a gratuity of five hundred dollars, and an annuity of forty dollars per annum during his natural life, payable semi-annually.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 734.

An Act

To extend the provisions of an act, entitled "An Act relative to livery stable keepers in the counties of Allegheny, Butler and Westmoreland," to Northumberland county.

SECTION 1. *Be it enacted, &c.* That from and after the passage of this act, the provisions of an act, entitled "An Act relative to livery stable keepers in the counties of Allegheny, Berks and Westmoreland," be and the same is hereby extended to the county of Northumberland.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 735.

An Act

To incorporate the Miners' Savings Bank, to be located at Summit Hill, Carbon county.

Corporators.

SECTION 1. *Be it enacted, &c.,* That Anthony Schneider, James Sweeney, George Kline, S. F. Minnich, J. D. Amer, James Doneaghue and W. D. Zehner, together with such other persons as shall become stockholders in the said bank, shall be and they are hereby created a corporation and body politic, by the name and style of the Miners' Savings Bank, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded, defend and be defended,

Name.

Privileges.

and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain to them and their successors, such real estate as may be necessary for the transaction of their business, together with such other real estate as they may find necessary to purchase at judicial sale or otherwise, to secure debts due to them, and the same to grant, mortgage or demise; also, to make, have and use a common seal, and the same to alter or renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of this state or of the United States.

SECTION 2. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance; and shall have the right to hold in trust or as collateral security for loans or advances or discounts, estates, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

Banking privileges.

SECTION 3. The said bank may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities, at such rates as may be agreed upon.

Further banking privileges.

SECTION 4. That it shall be lawful for the said bank to receive on deposit, from time to time, such sums of money not less than one dollar as may be offered by corporations, tradesmen, clerks, mechanics, miners, laborers, servants, minors, married women and others, and to allow such interest for money so deposited as may be agreed upon between said bank and said depositors, and to loan out the same, together with any other money they may have, by discounting or purchasing negotiable notes, drafts and bills of exchange.

Deposits.

Interest.

Loans.

SECTION 5. It shall be lawful for such bank to become and act as treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of state and city governments, and of counties, in the management of their business, and shall give security to such institutions and governments for the faithful performance of the duties if required.

May act as financial agent.

SECTION 6. The capital stock of said bank shall consist of one thousand shares of the value of fifty dollars each, with the privilege of increasing the same, from time to time, by a vote of the directors, to four thousand shares of like par value per share; and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase at such price, not less than par, as the board of directors may name, and same shall be paid in

Capital stock.

within one year: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best, not less than par.

Subscriptions.

Commencement of business.

When stock to be paid in full.

Directors.

President and other officers.

Office, where located.

Annual election.

Qualifications of directors.

Vacancies.

Deposits by minors and married women.

Dividends.

Bonus and taxes.

Liability of stockholders.

SECTION 7. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock at such times and places as they may deem expedient, and when five hundred shares of said stock shall have been subscribed, and forty per centum thereon of the same paid in, the said bank may commence operations, and the balance paid in within one year thereafter.

SECTION 8. The affairs of said bank shall be conducted by a board of seven directors, to be chosen as hereinafter directed and provided, who shall elect from their number a president; and the said board of directors, or a majority of them, shall elect a cashier and such other officers as they may deem necessary, and fix the compensation of the same; and all officers shall give bonds, with good sureties, in such sums as may be required by said board for the performance of their several duties.

SECTION 9. That the said bank shall keep its office in some suitable place in the village of Summit Hill, Carbon county; and on the first Monday of June after the acceptance of this charter, and on the first Monday of January annually thereafter, after two weeks' previous notice, the stockholders shall convene at the office of the bank, and, by ballot, elect seven persons as directors, who shall continue in office one year; and in the election of directors, the said stockholders shall be governed by the general laws of the commonwealth regulating the manner of conducting elections in banks and saving institutions; and each shareholder shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given: *Provided however*, That no person shall be elected a director in said bank who is not a stockholder therein; and all vacancies occasioned by death, resignation or refusal to serve, shall be supplied in such manner as the said bank may by its by-laws direct.

SECTION 10. That deposits made by minors or married women, in said bank, may be repaid to them, and their receipts shall discharge said corporation from any further claims for the sums so repaid.

SECTION 11. The board of directors shall have power to declare and pay dividends out of earnings of the bank to the stockholders at such times and in such amounts as to them may seem proper.

SECTION 12. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

SECTION 13. The stockholders of said bank shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts and engagements of said bank to the extent of double the amount of the stock subscribed

for or held by them; and it may be lawful for said stockholders, at any meeting specially called for the purpose, to increase the number of the board of directors to not exceeding thirteen in number: *Provided*, Two-thirds of the stockholders assent thereto by a vote, and that each stockholder shall be, personally or by letter, notified of such intention at such meeting within at least five days of its taking place.

Increase of directors.

SECTION 14. That the legislature hereby reserves the power to alter, revoke or annul the charter of said bank whenever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators.

Reservation.

SECTION 15. That it shall be lawful for said bank to purchase, hold and convey real estate as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

What real estate may be held.

SECTION 16. That said bank may take, receive, reserve and charge on any loan or discount made, interest at such lawful rate as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more, and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

What interest may be received.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 736.

An Act

Relating to the election of councilmen in the borough of Cambria, in the county of Cambria.

SECTION 1. *Be it enacted, &c.*, That at the next annual election for borough officers, in the borough of Cambria, it shall be lawful for the voters of said borough to elect six councilmen, two for one year, two for two years, and two for three years, and at every annual election thereafter for borough officers, to elect two councilmen for three years.

Election of councilmen.

SECTION 2. That all acts or parts of acts, so far as the same are inconsistent with this act, are hereby repealed.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 737.

A Further Supplement

To an act, entitled "An Act giving a bounty on fox scalps in the county of Dauphin," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-nine, extending the same to the county of Butler.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act giving a bounty on fox scalps in the county of Dauphin," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby extended to the county of Butler.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 738.

An Act

To prevent swine from running at large in the townships of Greenwood and Orange, in the county of Columbia.

SECTION 1. *Be it enacted, &c.*, That so much of the provisions of an act, entitled "An Act to prevent horses, cattle, mules, sheep and swine from running at large in Forks township, in the county of Sullivan," approved March eighth, one thousand eight hundred and seventy, as relates to swine, be and the same are hereby extended to the townships of Greenwood and Orange, in the county of Columbia.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 739.

An Act

Relating to the Chester and Delaware River Railroad Company, in the county of Delaware, confirming privileges heretofore granted by the city of Chester, and giving authority for granting further privileges.

Certain privileges
heretofore granted,
confirmed.

SECTION 1. *Be it enacted, &c.*, That the powers and privileges heretofore granted to the Chester and Delaware River Railroad Company, in the county of Delaware, its successors

and assigns, for the use of and crossing of certain streets by the mayor and council of the city of Chester, and the burgess and council of the borough of South Chester, be and the same are hereby approved and confirmed to the said railroad company, its successors and assigns, and that this approval and confirmation shall apply to such powers and privileges now enjoyed by said company, as were granted to the persons or associations predecessors of the said railroad company before the same was incorporated.

SECTION 2. That the said railroad company, its successors and assigns, shall have power hereafter to make such contracts and agreements as may be deemed expedient, and agreed upon with the mayor and council of the said city and the burgess and council of the said borough, for the purposes of using and crossing the streets in the said city and borough respectively, extending or otherwise improving its siding and depot room, and generally of promoting its capacity for business purposes, and such contracts and agreements when duly approved by ordinance of the mayor and council of the said city, or of the burgess and council of said borough, shall be as valid and effectual as to the respective rights of the respective parties intended to be therein contracted for, as if made between individuals, and the said mayor and council of the said city, and the said burgess and council of the said borough, are hereby authorized to enact such ordinances from time to time as they may deem advisable and expedient for the purposes of this act.

Authorized to
make certain con-
tracts.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 740.

An Act

To amend the charter of the borough of Latrobe, in the county of Westmoreland, in reference to the making and constructing of sewers and drains.

SECTION 1. *Be it enacted, &c.,* That it shall be lawful for the burgess and town council of the borough of Latrobe, in the county of Westmoreland, in addition to the general tax that may be laid for the purpose, to impose a special rate or charge on the owner or owners of a lot or lots, within the limits of said borough, through which any sewer or drain may pass or be constructed, not exceeding four dollars per foot for the distance that such drain or sewer may pass through said lot or lots, for the purpose of defraying the expense of making said sewer or drain, and paying for the material used therefor: *Provided*, That the said rate or charge shall be uniform and equal on all of the lots through which

said sewer may be made, in proportion to the distance that said sewer or drain may pass through any lot, and on failure of the owner of said lots to pay the said charge or rate, then the said burgess and town council shall have authority to collect the same in the same manner as is provided for collecting the cost and expense of grading, paving and curbing the streets, under the act of the third of April, eighteen hundred and fifty-one, entitled "An Act to regulate boroughs," and to add and collect with the same the percentage provided in said act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 741.

An Act

Relating to boroughs in Somerset county.

SECTION 1. *Be it enacted, &c.*, That in any proceedings to incorporate a borough, or to alter the charter, or change the limits or name of any borough heretofore incorporated in the county of Somerset, it shall be lawful for the court of quarter sessions to confirm the action of the grand jury, at the same term of said court to which the finding of the grand jury may be presented: *Provided*, That the petition for said incorporation, or change of charter limits or name, shall have been presented to said court at the previous term, and that thirty days' notice by publication shall have been given, as required by existing laws.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 742.

A Further Supplement

To an act to incorporate the Point Breeze Park Association, approved February eighth, one thousand eight hundred and fifty-five, (1855.)

SECTION 1. *Be it enacted, &c.*, That the Point Breeze Park Association are hereby authorized to dispose of the remaining

forty-eight shares of their capital stock at public sale, at a sum not less than one hundred dollars per share: *Provided*, That the stock shall not be sold for less than one hundred and twenty-five dollars per share, and the money appropriated to the payment of the three thousand dollars incumbrance, and the payment of such repairs as are now being made at the park.

SECTION 2. That the said association, through their directors, shall have full power to lease their real or personal estate, or any part thereof: *Provided*, That the board of directors shall retain and exercise their supervision over the premises, with the view of preserving inviolate the rights of the stockholders under the act of incorporation, and its supplements.

SECTION 3. That the provisions of this act shall not go into effect unless approved by a majority of the members present, or by their proxies given to members of the association, at a meeting called for the purpose of taking the question into consideration, notice of which shall be given to each member at least two weeks previous to such meeting, which notice shall have appended to it a copy of this supplement.

SECTION 4. That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 743.

A Further Supplement

To an act incorporating the House of Refuge of Western Pennsylvania, approved April twenty-second, Anno Domini one thousand eight hundred and fifty, to confirm the purchase of certain real estate in Washington county, by the said House of Refuge, (now Pennsylvania Reform School,) and to authorize the board of directors of said Pennsylvania Reform School to execute bonds and mortgages.

SECTION 1. *Be it enacted, &c.*, That the contracts entered into between the Pennsylvania Reform School and Wesley Greer and James Craighead, respectively, dated the first day of November, Anno Domini one thousand eight hundred and seventy-two, for the purchase and sale of certain lands in Washington county, for the purpose of said Pennsylvania Reform School, be and the same are hereby ratified and confirmed as valid and binding in law.

SECTION 2. That said Pennsylvania Reform School be and the same is hereby authorized to receive a deed or deeds from said Wesley Greer and James Craighead, for the lands described in said contracts, and to execute and deliver to said parties, respectively, the bonds of said Pennsylvania Reform

Former contracts ratified.

Authorized to receive a deed.

Execute bonds secured by mortgage.

School, secured by a mortgage or mortgages on the lands so purchased, to secure the payment of the purchase money; and the remedy for the collection of any moneys payable by the terms thereof, shall be the same as if said bonds and mortgages had been executed and delivered by a private individual, and there shall be no exemption of said lands, or any part thereof, or the buildings thereon, from levy and sale on said mortgage by reason of their being owned by said corporation and used for public purposes.

Lands not exempt
from sale on mort-
gage.

Authorized to issue
bonds.

. SECTION 3. That the said Pennsylvania Reform School is hereby authorized and empowered to issue bonds to the amount not exceeding seventy-five thousand dollars, sealed with the seal of the corporation, and signed by the president and countersigned by the secretary, in sums not less than one hundred dollar each, bearing interest not to exceed eight per cent., payable annually, and redeemable within five years or sooner at the option of the board of managers of the said corporation, from the date of the same, and to secure the payment thereof, if they deem it advisable so to do, by mortgage on the real estate of said corporation, situated in Allegheny county, or on any portion thereof: *Provided*, Such bonds shall be exempt from taxation except for state purposes.

Exempt from local
taxation.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 744.

An Act

For the protection of farmers against the ravages of wild cats, minks and foxes, in the county of Franklin.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, every person or persons who shall kill any wild cat, mink or fox within the bounds of Franklin county, and who shall produce the scalp, having both ears attached to the same, of such wild cat, mink or fox, before any justice of the peace of said county, it shall be the duty of said justice to examine said person or persons on oath or affirmation, touching the time when and the place where such wild cat, mink or fox was caught and killed, and if the place of such catching and killing shall be found to be within the bounds of the said county, it then shall be the duty of such justice to give such person or persons a certificate of the facts to the commissioners of the said county, who shall draw their order for each and every wild cat as aforesaid for three dollars, and for each and every mink so killed, fifty cents, and for each and every fox so killed, one dollar, on the county treasurer of

said county, whose duty it shall be to pay the amount of all such orders out of the money in the treasury appropriated for county purposes. All laws and parts of laws inconsistent herewith are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 745.

A Further Supplement

To an act, entitled "An Act to organize the Middle Coal Field poor district," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted, &c.*, That the true intent and meaning of the second and sixth sections of the act to which this is a further supplement is, that one each of the directors and auditors of said poor district shall be residents of the territory respectively, which at the time of the passage of that act, comprised the townships and boroughs named in the second section of said act; but this act shall not apply to any additional director who may be chosen under the provisions of the fourth section of an act, entitled "A further supplement to an act to organize the Middle Coal Field poor district," approved the sixth day of March, Anno Domini one thousand eight hundred and seventy-two.

Residence of directors and auditors.

SECTION 2. That contested elections of officers of said poor district shall be heard and determined by the court of quarter sessions of Carbon county, in the manner provided by law for the trial of contested elections of county and township officers, for which purpose the said court shall have power by its subpoena to compel the appearance of witnesses and the production of papers from every part of said district: *Provided*, That the petition in any such case shall be filed in the office of the clerk of said court within ten days after the filing of the returns of any such elections in said office, and before the first day of April next following such election.

Contested elections.

SECTION 3. That under the provisions of the seventh section of the act, entitled "A further supplement to an act, entitled 'An Act to organize the Middle Coal Field poor district,' approved the sixth day of March, Anno Domini one thousand eight hundred and seventy-two," the directors of said district may, on and after the first day of December, Anno Domini one thousand eight hundred and seventy-three, at their discretion either appoint a treasurer for said district, or designate one or more banks or banking associations located in said district, to act as receiving and disbursing agents for the

Directors may either appoint treasurer or designate bank to act as agent.

same, and may require such securities from any such treasure, banks or bankers as the said directors shall deem sufficient: *Provided*, That no such appointment shall go into effect until after the expiration of the term of Neil Breslin, the present treasurer of the said Middle Coal Field poor district.

Provide.

Annual statements and notices of elections to be published.

SECTION 4. That the annual statements of the district shall be published in two newspapers printed in the district, and that notices of elections of directors and auditors shall, by the directors, be advertised in two newspapers printed in the district, not less than twenty days before any such election, which notice shall designate the part of the district from which the officer or officers are to be chosen, but the omission to publish such notice shall not vitiate any election in other respects legally held.

Repeal.

SECTION 5. That all act and parts of acts inconsistent with this act are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 746.

An Act

To authorize the commissioners of roads and highways of the township of Ridgebury, in the county of Bradford, to erect a town hall for public purposes.

Authorized to acquire land and erect hall.

SECTION 1. *Be it enacted, &c.*, That the commissioners of roads and highways, of the township of Ridgebury, are hereby authorized to acquire land, and erect a town hall, for the use of said township in the transaction of the business of said township, at some point near where the elections in said township are now held: *Provided however*, The expenses in purchasing the land, and erecting the same, shall not exceed the sum of two thousand dollars.

Cost limited.

Authorized to borrow money and issue bonds.

SECTION 2. That the commissioners of said township are hereby authorized to borrow money for such purpose, and issue bonds therefor at a rate of interest not exceeding eight per cent., payable at such time or times as they may deem proper, not exceeding five years: *Provided however*, They shall commence the same within two years from the passage of this act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 747.

An Act

To repeal the second section of an act, entitled "An Act relative to the jurisdiction of justices of the peace, mayor and burgess in Erie county, and relative to appeals therefrom."

SECTION 1. *Be it enacted, &c.*, That the second section of an act, entitled "An Act relative to the jurisdiction of justices of the peace, mayor and burgess in Erie county, and relative to appeals therefrom," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 748.

An Act

Supplementary to the act incorporating the borough of Easton, authorizing the town council to borrow money.

SECTION 1. *Be it enacted, &c.*, That in addition to the amount now authorized by law, the town council of the corporation of the borough of Easton are hereby authorized to borrow the sum of two thousand dollars, and to issue the bonds or certificates of indebtedness of the said corporation therefor, payable at a period not exceeding six years after the date thereof, and bearing interest at a rate not exceeding six per centum per annum.

Authorized to borrow money and issue bonds.

SECTION 2. That it shall be the duty of the town council of the corporation of the borough of Easton to apply the proceeds of said bonds to the payment of the certificates of loan or indebtedness issued in the month of October, Anno Domini one thousand eight hundred and seventy-one, and to and for no other purpose.

How proceeds of bonds to be applied

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 749.

A Supplement

To an act, entitled "An Act relating to indexes to be kept in the public offices of Bradford county," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act approved the twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act relating to indexes to be kept in the public offices of Bradford county," so far as the same relates to the office of the prothonotary of said county, be and the same is hereby repealed, and this repeal to take effect on the first day of January, Anno Domini one thousand eight hundred and seventy-four, and that thereafter the prothonotary of the court of common pleas of said county is hereby authorized and required to keep the judgment docket for said court and the indexes containing the names of plaintiffs and defendants in said court, according to the method and system provided by law next preceding the passage of the aforesaid act; and authority is hereby given to said court to appoint some suitable and competent person to change and transfer the entries in any judgment docket, and in any index of plaintiffs and defendants in said office now made, and hereafter made prior to said January first, according to the method and system specified in said act, into new dockets and indexes made and arranged in accordance with the method and system provided by law, next preceding the passage of said act; and the person so appointed shall, before he enters upon his duties, make an oath or affirmation to perform the duties of his appointment with fidelity, and he shall also give, with one or more sureties, to be approved by said court, a joint and several bond to the commonwealth, with condition faithfully to execute the duties of his appointment, and to deliver the books, records, writings and papers belonging to said prothonotary's office whole, safe and undamaged to said prothonotary, and such changed and transferred entries so made shall be valid to all intents and purposes: *Provided*, That nothing herein contained shall require the said prothonotary to commence the keeping of said docket and indexes according to the method and system herein specified, before the first day of January aforesaid, but he is hereby authorized to commence at any time before said day upon an order of said court so to do.

APPROVER—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 750.

An Act

Empowering the board of school directors of the Eleventh ward, in the city of Pittsburg, to sell certain real estate by a deed containing a clause of special warranty.

WHEREAS, By an act, entitled "An Act to authorize the board of school directors of the Seventh ward of the city of Pittsburg, in the county of Allegheny, to borrow money," approved the nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four, the board of school directors of the Seventh (now Eleventh) ward of the city of Pittsburg, to borrow money, and to issue bonds for the payment thereof, and to secure said bonds, all the real estate belonging to said board of school directors should be considered as pledged for the payment thereof:

And whereas, It has now become expedient and necessary to sell a portion of said real estate, useless and valueless as school property, or for school purposes; therefore,

SECTION 1. *Be it enacted, &c.*, That the board of school directors of the Eleventh ward of the city of Pittsburg, county of Allegheny, are hereby authorized and empowered to sell and convey such portion of said school property, or real estate, as they may deem expedient and necessary, not exceeding, in value and price, five thousand dollars, making and delivering to the purchaser or purchasers thereof, a deed with a clause of special warranty, guaranteeing and indemnifying him, or them, from and against the payment of said bonds, or any part thereof.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 751.

An Act

Allowing to school teachers their time and pay whilst attending the county institute of teachers in Dauphin and Fulton counties.

SECTION 1. *Be it enacted, &c.*, That an act approved the nineteenth day of March, Anno Domini one thousand eight hundred and seventy-two, entitled "An Act allowing to school teachers their time and wages whilst attending the county institute of teachers in certain counties," be and the same is hereby extended to Dauphin and Fulton counties.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 752.

A Further Supplement

To the act, entitled "An Act to authorize the school directors of the borough of Butler to sell certain lands in said borough," approved the sixth day of May, Anno Domini one thousand eight hundred and seventy-one, and the supplement thereto, approved the fourth day of March, Anno Domini one thousand eight hundred and seventy-two.

Preamble.

WHEREAS, The boundaries set forth in the aforesaid act, does not embrace the whole of the territory called Quarry Reserve, nor any part of the territory known as the Commons, belonging to and situated in said borough :

And whereas, The citizens and property holders of said borough are very nearly unanimous in favor of selling said property ; therefore,

Directors authorized to sell lots.

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Butler, in the county of Butler, and their successors, be authorized and empowered to sell all that piece, lot and parcel of land, bounded on the east by Washington street, on the south by the old borough line ; on the west by the Connoquenessing creek, and on the north by the original town lots, being a part of the said Quarry Reserve ; also, all that other lot, piece and parcel of land, bounded on the west by M'Kean street, on the south by the old borough line, on the east by the Connoquenessing creek, and on the north by the Lutheran church property, being also part of the said Quarry Reserve, together with all of that other territory, piece and parcel of land, known as the Commons, bounded on the west by Cliff street, and lot number twenty-five, in the original plan of said borough, on the north by Cunningham street, and out-lot number two hundred and eighteen, in the original plan of the said borough, on the east by Monroe street and the Connoquenessing creek, on the south by the said Connoquenessing creek.

How sale to be made.

SECTION 2. The said school directors and their successors are hereby authorized and directed to sell the said lots, pieces and parcel of land, subject to the provisions and conditions of the before recited act, and the supplement thereto, approved the fourteenth day of March, Anno Domini one thousand eight hundred and seventy-two, except and provided, that the notice required to be given to the commissioners of the county, and to the owners of real estate within the original boundaries of said borough, of the day fixed by the court of common pleas for the approval of the sale or sales made of said property, by the said school directors, as provided in the third section of the act, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act relating to the sale and conveyance of real estate," is hereby altered and restricted to three insertions in one newspaper published in said borough.

SECTION 3. The school directors of the said borough, and their successors, are hereby authorized and directed to apply the proceeds of the sale of said property, specifically to the payment of the debt contracted for the building of the public school house in said borough of Butler, and for no other purpose whatever.

How proceeds to be applied.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 753.

An Act

Relating to the destruction of noxious animals, in the county of Lycoming.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, no bounty or premium shall be allowed or paid by the county treasurer for the destruction of foxes, wild cats, panthers, wolves, skunks, minks or other noxious animals, in the county of Lycoming; and all laws altered, supplied or inconsistent herewith be and they are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 754.

An Act

To prevent fishing in Tyler lake, in the county of Susquehanna.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall not be lawful for any person or persons to catch, take or kill any fish in the lake known as Tyler lake, in the township of Harford, and county of Susquehanna, between the first day of November and the first day of May in each year.

Taking fish out of season, prohibited

SECTION 2. That any person so offending against the provisions of this act shall, on conviction thereof, pay a fine of ten dollars for the first offence, and twenty dollars for each subsequent offence, with costs of suit, to be recovered in the name of the commonwealth, before any justice of the peace having jurisdiction over the place where such offence shall

Penalties for violating act.

have been committed; such fine, when collected by the justice, to be paid to the treasurer of the school board of the said district for school purposes. If the offender shall refuse to pay such fine as above named, or shall not have sufficient goods and chattels from which to collect said fine, or fines and costs, then said offender or offenders shall be committed to the jail of the said county for the space of ten days, without bail or mainprise.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 755.

An Act

Relating to levying and collecting school taxes and issuing school bonds in the city of Titusville.

Tax of five per cent. authorized.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act it shall be lawful for the school directors of the city of Titusville to levy five per cent. for school and building purposes upon the assessed valuation of the real and personal property contained in said city.

General laws applicable to city.

SECTION 2. That the general laws of this commonwealth in reference to the levying and collecting of taxes for school and building purposes, except as provided in section one of this act, are hereby made applicable to the city of Titusville; and all acts or parts of acts inconsistent herewith are hereby repealed.

Repeal.

SECTION 3. That all after and including the word "*Provided*," in the act approved the twenty-third day of March, Anno Domini one thousand eight hundred and seventy-two, relating to the issuing of bonds by the school directors of the city of Titusville, is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 756.

An Act

To extend the limits of the borough of Smethport, in the county of M'Kean.

WHEREAS, Certain citizens of the township of Keating, in M'Kean county, are deprived of many privileges which as citizens and tax payers of said county they are of right entitled

to enjoy, and which privileges can be enjoyed by them by annexing them to the borough of Smethport aforesaid, to which they live adjacent:

And whereas, There are not twenty resident freeholders within the proposed boundary, and therefore the court has no jurisdiction to grant them relief; therefore,

SECTION 1. *Be it enacted, &c.*, That all that portion of Keating township, in the county of M'Kean, lying and being within the following boundaries, viz: Beginning at the southwest corner of said borough of Smethport; thence south along the west line of lots deeded by Keating & Company to Holmes and Richmond, and Brewster Freeman, one hundred and eighty-two perches, to the southwest corner of the said Brewster Freeman's lot, it being lot number three of the Keating & Company allotment of land in said township; thence east along the south line of said lot number three, the south line of land deeded to David Crow, (number one hundred and eighty,) the south line of land deeded to William Williams, (number one hundred and eighty-one,) the south line of land deeded to William Burlingame, (number one hundred and eighty-three,) and the south line of land deeded to B. D. and H. Hamlin, four hundred and eighty-one perches, to the centre of Potato creek; thence down said creek, by the centre by its several courses and distances, to its junction with Marvin creek; thence up said Marvin creek, by its centre, to Blacksmith's brook; thence up said Blacksmith's brook, by its centre, to place of beginning; also, beginning at the northeast corner of said borough of Smethport; thence east along the south line of a lot formerly contracted by Ormand Holmes, containing seven acres, and by south line of a lot deeded to O. R. Bennett by Keating & Company, containing two acres and two perches; thence east through lots deeded by Keating & Company to W. White and A. D. Hamlin, to the road leading to Olean; thence east across the road and through a lot formerly contracted by Keating & Company to O. R. Bennett, and east through a lot of eight acres belonging to the estate of John Keating, to the centre of Potato creek, the whole distance being one hundred and thirty perches; thence up said creek, by the centre, by its several courses and distances, to the covered bridge, it being the most easterly point of the said borough of Smethport; thence northeasterly by the said borough line to M'Coy's Corners; thence north by the east line of said borough and lot, formerly of S. Sartwell, to the place of beginning, be included and incorporated in the borough of Smethport, and become a part of said borough for all purposes, as fully enjoyed by the citizens of said borough: *Provided*, That before this act shall take effect, a plot or plan of said change or alteration, as well as of the said borough, shall be filed among the records of the court of quarter sessions of M'Kean county.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT

No. 757.

An Act

To change the name of Wayne borough, in the county of Wayne.

SECTION 1. *Be it enacted, &c.*, That the name of Wayne borough, in the county of Wayne, be and the same is hereby changed to Starucca borough, and by that name shall have all the corporate rights and privileges now conferred upon said borough, as if the name thereof had not been changed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 758.

An Act

To authorize the supervisors of roads of the township of Eulalia, in the county of Potter, to levy an additional tax for road purposes.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall be lawful for the supervisors of roads, in the township of Eulalia, in the county of Potter, to levy and collect annually one per cent. road tax upon all property taxable for road purposes in said township, in addition to the amount now allowed by law.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 759.

An Act

Authorizing the burgess and town council of the borough of Coudersport, in the county of Potter, to levy a special tax to re-build bridges in said borough.

SECTION 1. *Be it enacted, &c.*, That the burgess and town council of the borough of Coudersport, in the county of Potter, be and they are hereby authorized, whenever by any casu-

alty of fire, or flood, or the natural action of the elements, it shall become necessary to re build any bridge in said borough, to levy a special tax of ten mills on the dollar, upon the assessed valuation of property in said borough, for the purpose of raising a fund to pay for the re-building of said bridge or bridges; and the said burgess and town council are hereby authorized to levy the said tax annually, if necessary, to pay for the building of any bridge in said borough.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 760.

A Further Supplement

To an act, entitled "An Act relating to road laws in Delaware county," approved the twelfth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted, &c.,* That in all cases in which damages for the opening of any public street, road or highway, in the said county of Delaware, shall be assessed upon the petitioner or petitioners, or upon lands and premises adjoining the said public street, road or highway, or lying adjacent thereto, under the provisions of the said act of April twelfth, one thousand eight hundred and sixty-nine, and its supplements, it shall be the duty of the clerk of the court of quarter sessions of said county, upon report of such assessment being made and finally confirmed, to certify the same, under the seal of said court, to the court of common pleas of said county; and upon such certificate the prothonotary of said court of common pleas shall enter the assessment of damages so made in his office, in the same manner as municipal liens are entered therein. Said lien shall be entered in the corporate name of the city, borough or township in which the lands lie, upon which the assessment of damages is made, as plaintiff, and the party or parties against whom the same shall be assessed, as defendant, and shall specify the amount of damages, and the report under which they are assessed, with a brief description of the property.

Assessments of damages to be certified to court of pleas.

To be entered as liens.

SECTION 2. Whenever such lien shall be entered as aforesaid, it shall be lawful for, and at the request of any person in whose favor said damages may be assessed, it shall be the duty of the supervisor, or other person or persons having charge of the opening of said street, road or highways, in their respective districts, if the said damages shall remain unpaid for the space of thirty days after the entry of said lien, to proceed to collect the same, together with all costs. The mode of such collection shall be by suing out a writ of

By whom and how collected.

scire facias to the use of the said supervisor, or other person, and proceeding thereon against the lands upon which said damages are assessed, in the manner and according to the laws regulating the collection of mechanics' liens; and upon collection thereof, the same shall be paid over to the party or parties entitled to the same.

Schools, &c., may
be opened after
final ascertainment
of damages.

SECTION 3. Nothing in any act contained, in respect to the laying out of any public street, road or highway in said county, shall be construed to prevent the immediate opening thereof, after the final ascertainment of damages therein, whether the same shall be paid or not.

To apply to cases
where damages
are unpaid.

SECTION 4. The provisions of this act shall apply to all cases in which damages have been heretofore assessed on lands as aforesaid, which remain unpaid.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 761.

An Act

To incorporate the Salem rope or wire ferry company over the Susquehanna river, at Beach Haven.

Incorporation.

Title.

Privileges.

SECTION 1. *Be it enacted, &c.,* That all persons who shall become hereafter associated for the purposes hereinafter mentioned, shall be and they are hereby created and declared a body politic and corporate, by the name, style and title of the Salem Ferry Company, with the privilege of erecting a rope or wire ferry across the Susquehanna river at the village of Beach Haven, in the county of Luzerne, of erecting and maintaining suitable landings for the same, and connecting them by suitable roads with the nearest highways; and they and their successors and assigns, by the name aforesaid, shall have continual succession, and shall to be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors, such lands, tenements and hereditaments, goods and chattels, and choses in action, as may be necessary for the proper transaction of the business of the company, and the same to grant, alien, devise, mortgage, pledge or dispose of; and also to use the private seal of the officers, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall be necessary and convenient for the government of the said corporation.

Capital stock.

SECTION 2. The capital stock of said company shall not exceed three thousand dollars, in shares of ten dollars each,

to be employed by the president and directors of said company, in the construction and establishment of a rope or wire ferry, and the necessary roads and landings across the Susquehanna river, at or near Beach Haven, in the county of Luzerne. The subscription to the said capital stock shall be taken under the directions of J. F. Hicks, G. W. Fisher, L. H. Conover, Wesley Rebert, E. W. Keen, Jeremiah Bombay, F. E. Brockway and Daniel Brader, or any two of them, and that as soon as one hundred shares are subscribed the commissioners above named, or any two of them, shall call a meeting of the subscribers to said capital stock, giving at least two weeks' notice in one or more newspapers of the vicinity of the time and place of such meeting, and the subscribers assembled in pursuance of such notice shall choose by ballot from among themselves, by a majority of the votes delivered in person or by proxy, (each share of stock being entitled to one vote,) a president, five directors and treasurer, whose respective duties shall be prescribed by the by-laws, which the said company is hereby authorized to make, who shall continue in office until their successors shall be elected at the annual meeting of the stockholders of said company, which annual meeting shall take place on the first Monday of February; reasonable notice of said annual meeting shall be given by the president of said company.

Subscriptions.

Election of officers.

Annual meeting

SECTION 4. The said corporation shall receive from persons passing over said ferry, such tolls as are customarily paid at other ferries of like nature for persons and property, and in default of payment of such toll, the said corporation is hereby authorized to ask, demand, sue for, recover and receive all sums of money due to them by way of ferriage.

Tolls.

SECTION 5. If any person or persons shall willfully pull down, cut, break or in any manner injure or destroy any posts, ropes, wires, chains, boats or other property belonging to the said company, he, she or they so offending, shall each and every of them forfeit and pay to the said company the sum of fifteen dollars, in addition to all damages sustained by the said company, to be recovered as debts of like amount are by law recoverable, or in default of payment thereof undergo imprisonment in the county prison for any term not exceeding three months, at the discretion of the justice before whom suit is brought, or in his absence before any other justice.

Penalties for injuring property of company.

SECTION 6. The said company shall have the exclusive right to use the Susquehanna river for a public ferry, for one mile above and below the said village of Beach Haven.

Exclusive right to use river.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 762.

An Act

To extend the road laws of Bradford county to the townships of M'Intyre and Lewis, in the county of Lycoming.

SECTION 1. *Be it enacted, &c.*, That the road laws of the county of Bradford are hereby extended to the townships of M'Intyre and Lewis, in the county of Lycoming.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 763.

An Act

For the relief of Mary A. Philips.

WHEREAS, Mary A. Philips, the widow of J. Philips, a soldier of the war of eighteen hundred and twelve, now a citizen of Westmoreland county, is now aged and in very destitute circumstances:

And whereas, Her husband was mustered into the United States services, but was not in service long enough to entitle his widow to a pension from the United States government therefor:

And whereas, A bill passed each house of the legislature, in the year one thousand eight hundred and seventy-two, allowing the said Mary A. Philips a pension, but for some reason, a different bill passed each house, and therefor neither bill became a law.

SECTION 1. *Be it enacted, &c.*, That the state treasurer is hereby authorized and required to pay to Mary A. Philips, of Allegheny township, Westmoreland county, Pennsylvania, widow of Joseph Philips, a soldier of the war of eighteen hundred and twelve, a gratuity of forty dollars, and an annuity of forty dollars, commencing the first day of January, Anno Domini one thousand eight hundred and seventy, and to continue for and during the term of her natural life: *Provided*, When the said Mary A. Philips is entitled to receive a pension from the United States, under any laws thereof, the pension hereby granted shall cease.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 764.

An Act

To authorize Elwood Tyson, Thomas Chalkly Jones and Samuel W. Noble, surviving trustees, all of Abington township, in the county of Montgomery, to sell and convey certain real estate.

WHEREAS, Jacob Lukens, and Mary, his wife, by a certain indenture, dated the twenty-fourth day of May, Anno Domini one thousand seven hundred and ninety-two, and recorded at Norristown, in deed book number thirty, page four hundred and nineteen, etc., did convey a certain lot of ground, situate in Abington township, to be used for school purposes, unto Joseph Lukens, Peter Tyson, Jonathan Shoemaker, William Lukens, John Fitzwater, junior, and Isaac Tyson, and the survivors and survivor of them, and their heirs and assigns of such survivors or survivor forever in trust, nevertheless, for the uses, intents and purposes hereinafter mentioned; that they, the said trustees and their successors in the trust, shall and will at all times hereafter grant and allow the members of the said school, called "Upper Dublin school," to have, use and occupy the aforesaid persons, and that they, the said trustees, nor their successors in the trust, nor any of them, shall claim any right, title or interest in the premises aforesaid, or stand seized thereof, but for the uses, intents and purposes therein mentioned; and that they, the said trustees, and their successors in the trust, and every of them, shall and will grant and allow such persons as shall or may be from time to time appointed by the members of the religious society of Friends, at their meeting held at Abington for the purpose, to visit and inspect the said school, which shall be subject to such rules and regulations as they shall from time to time forever hereafter order and direct; and also that they, the said trustees, or the survivors or survivor of them shall, by the direction of the members of the said religious society, and at their proper costs and charges, make, do and execute all such further reasonable acts and deeds, conveyances and assurances in the law whatsoever, for the better and more effectual declaring the trust aforesaid, or for the transferring their estate and trust in the premises, or any part or parts thereof, to any other person or persons to be appointed by the members of the said religious society, being first approved by Abington meeting aforesaid, and to their heirs and assigns forever, to and for the several uses, intents and purposes aforesaid; and further, that they, the said trustees or their successors may grant and allow any person or persons, not members of the said religious society, to send their children to the said school, (which is to be at the option of the said trustees,) subject to the rules and regulations thereof, but that they shall have no right or interest whatever of, in or to the said school:

And whereas, The said Joseph Lukens, Peter Tyson, Jonathan Shoemaker and William Lukens, surviving trustees, did, by and at the request of Abington meeting aforesaid, convey the aforesaid premises unto Jonathan Tyson, George Fitzwater, John Tyson, Jacob Fitzwater, Benjamin Tyson and Isaac Tyson, in trust by deed, dated the twentieth day of April, Anno Domini one thousand eight hundred and eighteen, recorded at Norristown, in deed book number thirty-five, page five hundred and fifty-two, *et sequitur*, and the said Jacob Fitzwater, the only surviving trustee, did also, at and by the request of the said Abington meeting, convey the said premises unto John Michener, Elwood Tyson, Thomas Chalkly Jones, Samuel W. Noble and Joseph Webster, by deed, dated the second day of October, Anno Domini one thousand eight hundred and sixty-two, recorded at Norristown, in deed book number one hundred and twenty-five, page three hundred and twenty-nine, *et sequitur* :

And whereas, The said school house has long since become unfit for occupancy, and there having been no school held there, nor any use for a school, in accordance with the trust, in that locality, for years ; therefore,

SECTION 1. *Be it enacted, &c.*, That Elwood Tyson, Thomas Chalkly Jones and Samuel W. Noble, surviving trustees named in the deed aforesaid, be and they are hereby authorized and empowered to sell, either at public or private sale, and to convey in fee simple, clear of all incumbrance and discharged of all trusts, and without any liability on the part of the purchaser or purchasers thereof, the aforesaid premises : *Provided however*, That the purchase money arising therefrom be paid over to the trustees of Abington Friends' school, to be used by them for school purposes forever *Provided*, Said sale shall be approved by the court of common pleas of said county, and before confirmed trustees shall give security to be approved by said court.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 765.

An Act

To vacate parts of Spruce alley, Green street, Hazle street and Mill street, in the borough of Hazleton, Luzerne county.

SECTION 1. *Be it enacted, &c.*, That so much of Spruce alley as extends from Laurel street to Church street, and from Poplar street to East street, and also so much of Green street as extends from Poplar street to East street, and also so much of Hazle street and Mill street as extend from Broad street to

Maple street, all in the borough of Hazleton, in the county of Luzerne, be and the same are hereby declared vacant.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 766.

An Act

To extend the jurisdiction of justices of the peace in the county of Clarion.

SECTION 1. *Be it enacted, &c.*, That the act passed and approved the first day of May, one thousand eight hundred and sixty-one, with its several supplements, in relation to the jurisdiction of justices of the peace in certain criminal proceedings in Erie and Union counties, be and are hereby extended to the county of Clarion.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 767.

An Act

To provide additional return days for the county of Forest.

SECTION 1. *Be it enacted, &c.*, That in the courts of common pleas of Forest county, all writs for the commencement of actions may, at the election of the party suing out the writ, be made returnable to the next term, or on the first day of any intermediate month: *Provided*, That ten days intervene between the issuing and return of said writ.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 768.

An Act

To prevent stallions, bulls, buck sheep and boars from running at large in Clarion and Centre counties.

Stallions, bulls,
&c., not to run at
large.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, it shall not be lawful for any stallion, bull, buck sheep or boar to run at large in the counties of Clarion and Centre.

May be taken up,
and detained until
claimed and
charges paid.

SECTION 2. That it shall be lawful for any person to capture and take up any stallion, bull, buck sheep or boar found running at large as aforesaid, and to detain the same until the owner or owners thereof shall claim and demand said property, and pay to the person so taking up and detaining the same, the sum of five dollars for each and every stallion or bull, and two dollars for each and every buck sheep or boar, together with fifty cents per day for the keeping of the same for each and every day from the capture to the reclamation of the said animal or animals: *Provided*, That it shall be the duty of the person so taking up said animals, within twenty-four hours thereafter, to give notice to the owner or owners of said capture, where such owner or owners are known, and where such owner is unknown, to give public notice, by three printed or written handbills, put up in the most public places in the township or borough in which said animal was taken up, properly describing such animal and fixing the time and place when and where such animal will be sold, if not reclaimed by the owner or owners thereof; and in case no person appears within ten days after such notice or advertisement, to reclaim said animal by paying the sums hereinbefore provided for, then it shall be the duty of the person having possession of the said animal, at the time and place specified in such notice or advertisement, to sell every such animal at public sale or outcry, and after deducting the penalty and cost of keeping, hereinbefore provided for, and the cost of advertisement, if any, to pay the balance to the treasurer of the school fund of said township or borough, for the use or benefit of the owner of such animal, if claimed by him within one year after such sale.

Duties of persons
taking up such
animals.

When to be sold.

Second section not
to be enforced in
certain cases.

SECTION 3. That the provisions of the second section of this act shall not be enforced in cases where such animals have broken out of or escaped from good and sufficient enclosures, without any negligence or default on the part of the owner, except so far as relates to the cost of keeping such animal during the period of detention by the person capturing the same.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 769.

An Act

To vacate a portion of the state road from Rimersburg borough, in the county of Clarion, to a point two miles within the limits of Venango county.

WHEREAS, By and in pursuance of an act of assembly passed the twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven, a state road was laid out from the borough of Rimersburg, in the county of Clarion, via Carlsville, Keeversburg, Clarion and Tylersburg, to a point two miles within the limits of Venango county, crossing the county line near Daniel Walters:

And whereas, That portion of the said state road in Clarion township, Clarion county, which lies north of the borough of Clarion, and between the borough of Clarion and the Clarion river, has never been made or used:

And whereas, Said portion of said state road is unnecessary by reason of there being already a public road kept up by the said township of Clarion, from the said borough of Clarion to the same point on the Clarion river:

And whereas, There is also a turnpike from the said borough of Clarion to a point on the Clarion river, only one mile below where the said state road crosses said river:

And whereas, The opening of said portion of said state road will impose a very heavy expense on the said township of Clarion, and be burdensome to the tax-payers of said township; therefore,

SECTION 1. *Be it enacted, &c.*, That the portion of the said state road described in the above preamble, lying between the Clarion borough line and the Clarion river, be and the same is hereby vacated.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 770.

An Act

To vacate a portion of the state road from Rimersburg, in Clarion county, to the Allegheny river, at or near the mouth of Hemlock creek, in Venango county.

WHEREAS, By and in pursuance of an act of assembly, approved the seventeenth day of April, Anno Domini one thousand

and eight hundred and sixty-one, a state road was laid out from Rimersburg, in Clarion county, to the Allegheny river, at or near the mouth of Hemlock creek, in Venango county:

And whereas, A portion of the said state road has never been made or used, to wit: The portion of the said state road, in the township of Beaver, in the said county of Clarion, beginning at Stull and Hosterman's mill, formerly Cope's mill, and lying between Stull and Hosterman's mill and the dividing line between the townships of Beaver and Ashland, in said county of Clarion:

And whereas, Said portion of the said state road has become unnecessary by reason of the opening of new roads subsequently to the laying out of the said state road, and the improvement of old roads:

And whereas, The opening of the said portion of the said state road will impose a heavy and unnecessary tax on the taxpayers of the said township of Beaver; therefore,

SECTION 1. *Be it enacted, &c.,* That the said portion of the said state road lying between Stull and Hosterman's mill, and the dividing line between the townships of Beaver and Ashland, in the county of Clarion, be and the same is hereby vacated.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 771.

An Act

To enable John H. Donelson, collector of taxes in Lincoln township, Huntingdon county, to collect certain unpaid taxes.

SECTION 1. *Be it enacted, &c.,* That John H. Donelson, who was appointed collector of bounty and school taxes for the year one thousand eight hundred and seventy, in the township of Lincoln, Huntingdon county, is hereby allowed one year from the date of the approval of this act, to make return in pursuance of the warrants issued to him, and that the said warrants so issued to him shall have the same force and effect as though issued at the date of the approval of this act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 772.

An Act

To authorize the school directors of the township of Zerbe, Northumberland county, to borrow money.

SECTION 1. *Be it enacted, &c.*, That for the purpose of raising money to pay the indebtedness and build new public school houses, the school directors of Zerbe township, Northumberland county, be and they are hereby authorized and empowered to borrow such amount of money as may be necessary, not exceeding ten thousand dollars, and to issue bonds therefor in amounts not less than fifty dollars, with or without coupons, at any rate of interest not exceeding ten per centum per annum, and which bonds shall be exempt from all taxation except for state purposes, and payable not more than ten years from date.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 773.

An Act

To enable the boroughs of Sharpsburg and Etna, in the county of Allegheny, to levy and collect a special tax for the re-building of the bridge across Pine creek.

WHEREAS, The bridge crossing Pine creek, on the road leading from the Sharpsburg bridge, and being on the line dividing the boroughs of Sharpsburg and Etna, in the county of Allegheny, has been washed away by a recent flood in said creek: Preamble.

And whereas, The said boroughs are without the means necessary to re-build the same, and the present revenues of the said boroughs are wholly inadequate and insufficient to meet this additional burden; therefore,

SECTION 1. *Be it enacted, &c.*, That the burgesses and town councils of the said boroughs are hereby authorized and empowered to contract jointly in the names of said boroughs, with any person or persons, for the re-building of said bridge, and the expenses of such re-building shall be borne by the said boroughs in equal shares.

Burgesses and councils may contract for building bridge.

SECTION 2. That for the purpose of providing the means for the re-building of said bridge, the proper authorities of each of said boroughs are hereby authorized and empowered,

Authorities may levy and collect special tax.

during either the year one thousand eight hundred and seventy-three or one thousand eight hundred and seventy-four, as may be deemed most expedient, to assess, levy and collect, as other taxes are now by law assessed, levied and collected, a special tax not exceeding five mills upon the dollar upon the taxable property in the said boroughs respectively.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 774.

An Act

Relative to licenses on vehicles and dramatic licenses in the boroughs of Mansfield and Chartiers, in the county of Allegheny.

SECTION 1. *Be it enacted, &c.,* That the powers, authorities and provisions of the act of assembly, entitled "An Act relative to licenses on vehicles in the cities of Pittsburg and Allegheny, in the boroughs of Birmingham, East Birmingham, South Pittsburg and Manchester, and dramatic licenses in the city of Pittsburg," approved the thirtieth day of March, one thousand eight hundred and sixty, be and the same are hereby extended to the boroughs of Mansfield and Chartiers, in the county of Allegheny.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 775.

An Act

To authorize the Bethel church of Summerhill township, in the county of Crawford, to vest the title of the real estate of said church in a board of trustees.

SECTION 1. *Be it enacted, &c.,* That the trustees or church authorities of the Evangelical church, in which is now vested the title of real estate and church property of Bethel church, of Summerhill township, Crawford county, are hereby authorized and empowered to make sale of such real estate and church property, or any part thereof, to a board of trustees, consisting of Amos Waltson, Charles Waltson, George Stevens and Josiah Hadlock, and their successors in office, and to make a deed or deeds for the same to said trustees, in trust, nevertheless, for the uses and purposes of said Bethel church.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 776.

A Further Supplement

To the act incorporating the city of Harrisburg.

SECTION 1. *Be it enacted, &c.*, That the viewers who may be appointed under the second section of the act of assembly of the second day of January, one thousand eight hundred and seventy-one, being act number one thousand four hundred and eleven, entitled "A further supplement to the act incorporating the city of Harrisburg, in the county of Dauphin, et cetera," shall not be limited in estimating damages for property occupied by the opening or extension of any street in the said city, or which may be injured by such opening or extension, to property situate within two hundred feet, in any direction, of the same, as is specified in said section, but may assess any damages sustained or done by such opening or extension, against any property adjoining or neighboring to such property, occupied or injured by such opening or extension, or upon the ward in said city in which such property occupied or injured is situate, or on the city of Harrisburg, or part on one and part on another; and the report of such viewers shall be subject to the same action as is provided in said section, and shall be enforced in like manner as there provided for, with respect to reports therein specified: *Provided*, That the viewers, in assessing the damages, shall have respect to the advantages which, in their estimation, may accrue to the adjoining or neighboring property, or to the ward, or to the city of Harrisburg: *And provided further*, That the plot mentioned in the said further supplement may be omitted, if the viewers choose to do so.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 777.

An Act

In relation to the cost of sewers and the collection thereof, in the city of Altoona.

SECTION 1. *Be it enacted, &c.*, That the common council of the city of Altoona be and they are hereby authorized, when they may deem the same necessary, to cause sewers to be constructed in any street, lane or alley of said city, and for the

Council may construct sewers, and assess cost on property holders.

Assessment to be a
lien.

How collection
enforced.

Assessments here-
tofore made, legal-
ized.

payment of the cost of the same, they are hereby authorized to levy and assess upon property or properties, lot or lots, abutting upon the street, lane or alley where such sewer is located, a sum of money not exceeding the rate of one dollar per foot for each and every foot said lot may abut thereon; and the said assessment shall be a lien on the property so assessed, and the city solicitor may file the said claim in the court of common pleas of Blair county within ninety (90) days after the completion of such sewer, and collect the same by *scire facias*, as debts are recoverable under the mechanics' lien laws of this state, in the corporate name of the city.

SECTION 2. That all assessments or charges heretofore made by said city of Altoona, upon lot owners for the cost of constructing sewers, in pursuance of any ordinance or ordinances, resolution or resolutions of said city, be and the same are hereby legalized, confirmed and ratified; the said city is authorized to collect the same as debts of like amount are recoverable.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 778.

An Act

To enable the German Evangelical Lutheran Church of Saint John's, in the city of Philadelphia, to sell and convey certain real estate.

WHEREAS, The said German Evangelical Lutheran church of Saint John's, are now seized and possessed in fee simple, of a certain church building and lot of ground, whereon the same is erected, situate on the north side of Carpenter street, between Fourth and Fifth streets, in the city of Philadelphia, and also, of a certain messuage and lot of ground, situate No. 424 Wharton street, and extending in depth to Borden street, in said city:

And whereas, The said corporation have lately purchased a more eligible site for the erection of their church buildings:

And whereas, It is necessary for the said corporation to sell and dispose of the above mentioned premises on Carpenter and Wharton streets, for the purpose of defraying the expenses of erecting the said new buildings, and inasmuch as doubts exist as to the power of the said corporation to sell and convey the said premises,

SECTION 1. *Be it enacted, &c.*, That it shall and may be lawful for the said the German Evangelical Lutheran Church of Saint John's, at such time or times as they may see fit, to sell and dispose, by public or private sale or sales, of the said premises, and to convey the same to the purchaser or purchasers thereof in fee simple, without liability on the part of

such purchaser or purchasers to see to the application of such purchase money.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 779.

An Act

To aid in perfecting the title to certain real estate, formerly owned by Letitia English, now deceased, who was the wife of John English.

WHEREAS, Letitia English and John English, her husband, late of the county of Tioga, in the state of Pennsylvania, by a contract in writing, dated the fourteenth day of November, Anno Domini one thousand eight hundred and sixty-three, over their hands and seals, did agree to sell and convey unto George W. Rice and Miles D. Rice, a certain lot of land, situate in the township of Charleston, in the county of Tioga, in the state of Pennsylvania, which was the property of said Letitia English, bounded on the north, by lands of James Bradt and John Jennings, on the east, by lands of Michael Sloat, on the south, by the highway, and on the west, by lands formerly owned by S. J. Rice, containing about eighty-five acres of land, for the sum of twelve hundred and seventy-five dollars, two hundred dollars of which was paid at the of said contract to the said Letitia English, and the balance of said purchase money was, by the said Letitia English, assigned and transferred to William Bache, on the fifth day of April, Anno Domini one thousand eight hundred and sixty-four, for a valuable consideration:

And whereas, The said Letitia English died on the twelfth day of June, Anno Domini one thousand eight hundred and seventy, intestate, and without having made any provision for the performance of her said contract, leaving to survive her a husband, the said John English, and the following named children, to wit: Benjamin F. English, who is above the age of twenty-one years, and Eugene S. English, Willis R. English, John F. English, Anna C. English, Mary L. English and James G. English, all of whom are under the age of twenty-one years; therefore,

SECTION 1. *Be it enacted, &c.*, That for the purpose of perfecting the title of the said lands, the orphans' court of the county of Tioga shall have jurisdiction, upon petition and notice thereof to all parties interested, to decree a sale of the interests of said minors in said real estate, in fee simple, subject to the provisions of section four of an act, entitled "An Act relating to the sale and conveyance of real estate," approved eighteenth April, Anno Domini one thousand eight hundred and fifty three.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 780.

An Act

To authorize the borough of Media, Delaware county, to borrow money.

SECTION 1. *Be it enacted, &c.,* That the chief burgess and town council of the borough of Media, be and they are hereby authorized and empowered to borrow, on the credit of said borough, any sum or sums of money not exceeding forty thousand dollars, and to issue certificate or certificates of indebtedness therefor, under the corporate seal of said borough of Media, attested by the chief burgess and town clerk for the time being, in sums of not less than one hundred dollars, payable at the expiration of twenty years from date of issue, and redeemable at the option of said borough, at any time after five years from said date of issue, at a rate of interest not exceeding seven per centum per annum, which interest shall be payable annually to the holders of such certificates; and the said chief burgess and town council shall have authority, and they are hereby authorized from time to time and so often as the same may be necessary, to raise by taxation, in the manner pointed out by existing laws for that purpose, such sum or sums of money as will be necessary to pay the principal and interest, or the interest alone of said certificate or certificates: *Provided,* That such money, when borrowed, shall be applied to the erection and construction of water works, and to the introduction of fresh water into the said borough or vicinity in such manner and from such sources as may be determined upon by said chief burgess and town council, and if necessary, to purchase real estate for that purpose.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 781.

An Act

Relative to the coroner of Northumberland county.

SECTION 1. *Be it enacted, &c.,* That the act, entitled, "An Act relative to the coroner of Berks and Lancaster counties," approved the eighth day of February, one thousand eight hundred and forty-eight, be and the same is hereby extended to the county of Northumberland.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 782.

An Act

To incorporate the Aesthetic Club of Philadelphia.

WHEREAS, An association has been formed in the city of Philadelphia for the purpose of promoting the fine arts, by social intercourse amongst painters, architects, sculptors, musicians, engravers, journalists, literary men, and such persons not professionally connected with those arts, whose tastes and inclinations attract them to such an organization, and the citizens composing the same are desirous of being incorporated, the better to enable them to carry out said purposes; therefore,

SECTION 1. *Be it enacted, &c.,* That Henry A. Sims, P. F. Rothermel, Howard Roberts, Henry C. Gibson, W. J. Clark, Jr., L. Clarke Davis, C. F. Haseltine, J. W. Louderbach, P. F. Wharton, Milne Ramsey, Hugh A. Clarke, Carl Wolfsohn, Lewis Waln Smith, James L. Blaghorne, Frank Furness, and such other persons as have been, or may hereafter be associated with them for the purposes of said association, are hereby erected into and declared to be a body politic and corporate, by the name, style and title of the Aesthetic Club of Philadelphia, and by the same style and title shall have perpetual succession, and may purchase, take and hold, by gift, grant, demise, bargain and sale, devise and bequest, or by any other lawful mode of conveyance, any lands, tenements, goods, chattels and estate, real, personal or mixed, and the same, or any part thereof, from time to time, may sell, alien, mortgage, or otherwise dispose of, and may have a common seal, which they may alter and renew at their pleasure: *Provided,* That the clear yearly value or income of all the estate and property of the said corporation, including interest on all moneys by them lent, shall not exceed the sum of ten thousand dollars, exclusive of the real estate in the actual occupancy of the corporation.

SECTION 2. The government of the club shall be vested in a board of directors, to be composed of a president, two vice presidents and twelve directors, who shall be chosen from among the members of the club, at an annual meeting to be held the first Tuesday in February; in case of a failure to elect at an annual meeting, the directors shall hold over until their successors are duly chosen; twenty-five members shall constitute a quorum at a meeting of the club, and a plurality of votes shall elect; at the first meeting of the board of directors, to be held within seven days after the annual meeting, they shall elect a secretary and a treasurer, and also a committee on membership, to consist of nine members of the club, not members of the board, whose duties shall be prescribed in the by laws; all vacancies in the board or the committee shall be filled by the board; the number of active members of the club shall at no time exceed five hundred.

Preamble.

Corporators.

Title.

Privileges.

Income limited.

Government.

Election of directors.

Failure to elect.

Quorum.

Secretary, treasurer, &c.

Vacancies.

Number of active members.

Duties of members,
powers of officers,
&c., to be regula-
ted by by-laws.

SECTION 3. That the duties and rights of the members of the said corporation, the powers and functions of the officers thereof, the mode of electing or admitting members, the terms of their admission, and the causes which justify their expulsion, and the manner of affecting the same, and the mode and manner in which the property of said corporation shall be divided and appropriated in case of a dissolution of said corporation or winding up of its affairs, shall be regulated by the by-laws and ordinances of said corporation, which they are empowered to make and alter in the manner which may be therein mentioned: *Provided*, That the said by-laws and ordinances shall not be repugnant to or inconsistent with the constitution and laws of the United States or of this commonwealth.

When first elec-
tion to be held.

SECTION 4. A meeting of the club shall be held on the first Tuesday of June, Anno Domini one thousand eight hundred and seventy three, when a board of directors shall be elected to serve until the annual meeting in one thousand eight hundred and seventy-four; until the said election in June, the following citizens shall be the officers of the club: President, Henry A. Sims; vice presidents, P. F. Rothermel and Howard Roberts; directors, Henry C. Gibson, W. J. Clarke, Jr., L. C. Davis, C. F. Haseltine, J. W. Louderbach, P. F. Wharton, Milne Ramsey, Hugh A. Clarke, Carl Wolfsohn, Lewis Waln Smith, James L. Claghorne and Frank Furness.

Officers until
election.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 783.

An Act

To incorporate the Hunlock's Creek Turnpike Road Company.

Commissioners.

SECTION 1. *Be it enacted, &c.*, That James Van Horn, Josiah Reggles, Solomon Tincepaugh, J. R. Pringle, or their assigns, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Hunlock's Creek Turnpike Road Company, with power to locate and construct a turnpike road, from near the mouth of Hunlock's creek, in the township of Union, county of Luzerne, to a point near Haws' Lake, or where the said company think best, in the county of Luzerne, on the site of any public road or roads, or otherwise, as the said company may direct, subject to all the provisions and resolutions of an act regulating turnpike and plank road companies, passed the twenty sixth day of January, Anno Domini one thousand eight hundred and

Title.

Construction of
turnpike author-
ized.

Subject to.

forty-nine, and the supplements thereto, excepting that portion of which relates to the collection of tolls.

SECTION 2. That the company hereby incorporated shall have power to regulate their tolls, appoint toll-gatherers and punish frauds agreeably to the provisions of the twelfth section of an act, entitled "An Act authorizing the governor to incorporate the Philadelphia and West Chester Turnpike Road Company," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and forty-eight: *Provided*, That the rate of toll shall not exceed two (2) cents per mile, or at the same rate for a lesser distance, for each horse, mule, working cattle or other animal traveling over said road, whether attached to any vehicle or otherwise, and without reference to the breadth of tire of said vehicle, and shall not be liable for a fractional part of a cent in making change, and all remedies for the enforcement of the payment of tolls or for the recovery of the penalties for refusing or evading the payment of the same heretofore conferred upon said company are hereby extended to the tolls chargeable under this act.

Tolls, toll-gatherers, &c.

SECTION 3. That when the company hereby incorporated shall have finished one mile or more of this road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth day of January, one thousand eight hundred and forty-nine.

Notice to governor, &c.

SECTION 4. That the capital stock of said company shall consist of five hundred shares of ten dollars per share: *Provided*, That the said company may, from time to time, by a vote of a majority of the stockholders, at a meeting called for that purpose, increase their capital so much as may be necessary, in their opinion, to complete the road and carry out the true intent and meaning of the act: *Provided*, That each stockholder shall be entitled to cast one vote in person or by proxy for each and every share of stock by each stockholder then owned.

Capital stock.

Votes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 784.

An Act

To amend the charter of the State Normal School of the Fifth district, at Mansfield.

SECTION 1. *Be it enacted, &c.*, That from and after the first Monday in May next, the board of trustees of the State Normal School of the Fifth district, at Mansfield, shall be

Number of trustees.

Six to be elected,
and three ap-
pointed.

composed of nine persons, six of whom shall be elected by the stockholders thereof, and three shall be appointed by the state superintendent of common schools.

When and how
elected.

SECTION 2. That stockholders of the State Normal School of the Fifth district shall, on the first Monday in May next, elect in addition to the other elective officers of said corporation, two persons to serve as trustees for one year, two persons to serve as trustees for two years, and two persons to serve as trustees for three years, and said stockholders shall annually thereafter, on the first Monday in May, elect two persons to serve as trustees for three years.

When and how
appointed.

SECTION 3 The state superintendent of common schools shall, on the first Monday in May next, appoint one person to serve as trustee of said State Normal School of the Fifth district for one year, one person to serve as trustee for two years, and one person to serve as trustee for three years, and said state superintendent of common schools shall annually thereafter, on the first Monday in May, appoint one person to serve as trustee of said normal school for three years, and the trustees so appointed shall have all the rights and powers of any of the trustees of said normal school.

SECTION 4. Five trustees lawfully convened shall constitute a quorum for the transaction of business.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 785.

An Act

To repeal an act, entitled "An Act relating to sheriff's sales of real estate in the county of Allegheny, providing for the appraisement of the same before sale, and giving the right to redeem," approved February twenty-fifth, Anno Domini one thousand eight hundred and seventy-three.

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act relating to sheriff's sales of real estate in the county of Allegheny, providing for the appraisement of the same before sale, and giving the right to redeem," approved February twenty fifth, one thousand eight hundred and seventy three, is hereby repealed: *Provided*, That the said act shall be and remain in full force and effect, so far as its provisions relate to or affect real estate or property situate in the townships of Jefferson and Mifflin, in said county, or the owners thereof, for and during the period of two years from the passage of this act, and no longer.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 786.

An Act

Authorizing the borough of Renovo to borrow money for school purposes, and issue bonds therefor for building purposes.

SECTION 1. *Be it enacted, &c.*, That the school directors of the borough of Renovo, in the county of Clinton, be and they are hereby authorized to borrow any amount of money not exceeding fifteen thousand dollars, payable at any time not exceeding ten years from the passage of this act, and to issue bonds therefor at a rate of interest not exceeding ten per centum per annum, signed by the president and secretary of the board of school directors, or a majority of the directors of said school board, for the purpose of erecting a suitable building or buildings for school purposes in said borough, and to levy an additional building tax to that authorized by law, to pay said indebtedness at such time as they may deem expedient; and said bonds so issued as aforesaid shall be exempt from taxation, except for state purposes: *Provided*, That the tax levied in any one year for building purposes shall not exceed two per centum of the assessed valuation of the property of said borough: *Provided*, That the powers of the court to authorize borrowing of money be first exhausted.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 787.

A Supplement

To an act, entitled "An Act to incorporate the Shamokin Life Insurance and Trust Company."

SECTION 1. *Be it enacted, &c.*, That at all elections or meetings of stockholders held by the corporation created by the act, entitled "An Act to incorporate the Shamokin Life Insurance and Trust Company," approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one, which by an order of the court of common pleas of Northumberland county, was named "The Shamokin Banking Company," and now known and doing business under said name, hereafter said company, and the capital stock thereof, shall be subject to such taxation as is now imposed upon banks

How company and capital stock taxable.

created under the laws of this commonwealth, as now or may hereafter be required by law.

Votes.

SECTION 2. Each stockholder shall be entitled to one vote for every share of stock held in his or her name.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 788.

An Act

To incorporate the Keystone Boulevard Company.

Commissioners.

SECTION 1. *Be it enacted &c.*, That J. Harry Christ, Frank C. M'Court, M. E. Hess, Harry Siglin, M. F. Money, James A. Moore, or a majority of them, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Keystone Boulevard Company, to construct a turnpike road commencing at the most feasible point on the Susquehanna river, in the township of Kingston, county of Luzerne, and thence by the most practicable route to the public house of James W. Rhoads, in said township, with the privilege of taking, occupying and changing so much of any road as may be necessary for the purpose of the road, as may be laid out, or in use along the route of the same, and as may be deemed necessary to shorten and improve the same by a change of location of any part thereof, subject to all the restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby supplied.

Title.

Construction of
turnpike au-
thorized.

Subject to.

May borrow
money and issue
bonds.

Tolls.

Capital stock.

Votes.

SECTION 2. That the said company shall have power to borrow money at any rate not exceeding eight per centum per annum, for the purpose of completing their road, and issuing bonds therefor, and secure the same by mortgage of their road and franchises; and the president and managers of said company shall have power to establish and regulate rates of toll, not exceeding five cents per mile, and to erect toll-gates and collect tolls whenever one mile of their road shall have been completed.

SECTION 3. That the capital stock of said company shall consist of two hundred and fifty shares of one hundred dollars per share: *Provided*, That each stockholder shall be entitled to vote for each share of stock held by him.

APPROVED—The 12th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 789.

An Act

To vacate a portion of Bohemia place, in the Third ward of the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That Bohemia place, in the Third ward of the city of Philadelphia, running eastward from Fourth street, above Catharine street, to the western line of the lot of ground upon which is erected the Mount Vernon grammar school building, be and the same is hereby vacated from the said western line of the said lot of ground to the distance of nineteen and a half feet westward thereof on the south side of the said Bohemia place, and to the distance of sixteen feet westward thereof on the north side of the said Bohemia place, and the title to the portion of the said street so vacated, is hereby vested in fee simple on the owners of the ground fronting thereon.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 790.

A Further Supplement

To an act to promote the more certain and equal assessment of taxes in Philadelphia, approved the fourteenth day of March, one thousand eight hundred and sixty-five, relating to the assessors and assessment in said city.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act the pay of assessors for the city of Philadelphia shall be at the rate of two thousand dollars per annum; and on or before the first day of January, one thousand eight hundred and seventy-four, the board of revision of taxes of the county of Philadelphia shall divide the city into fifteen assessment districts, and such districts shall be made with due regard to equalizing the duties of the assessors of the several districts; and the said board of revision are empowered to alter and re-arrange said districts, from time to time, whenever in their judgment such alterations may be rendered necessary by the growth of the city, to preserve equality in the labor to be performed in the respective districts.

Pay of assessors fixed.

Board of revision to divide city into fifteen assessment districts.

May alter districts.

SECTION 2. The said board of revision shall, on the first day of January, one thousand eight hundred and seventy-four, and every five years thereafter, appoint two competent persons to serve as assessors for the term of five years, in and for

To appoint two assessors for each district every five years.

May fill vacancies.

When terms of present assessors to expire.

Powers, &c., of assessors.

How appointments and removals made.

Salaries of members of board of revision.

How assessment books and duplicates to be made.

Board may affix city seal to certificates.

Repeal.

each of said districts, and shall have power to fill all vacancies that may occur by death, resignation or otherwise, and at said time the terms of the present assessors shall cease, determine and expire. The said assessors appointed as aforesaid shall have all the powers and be subject to all penalties now imposed on assessors in the city of Philadelphia by law, and be subject to removal by the said board of revision for incompetency, neglect or refusal to faithfully perform the duties required by law: *Provided*, That said appointments shall be made so that there shall be a majority and minority representation of the political parties in each district: *And provided also*, That no appointment or removal of assessor or assessors shall be made without the concurrence of all the members of said board of revision of taxes; and that from and after the passage of this act the salary of each member of the board of revision shall be four thousand dollars per annum.

SECTION 3. The assessment books returned by the assessors aforesaid, and the duplicates issued to the receiver of taxes by the board of revision, shall be made in wards as heretofore.

SECTION 4. That the said board of revision are hereby authorized and empowered to affix the seal of the city of Philadelphia in official certificates they may be authorized to issue by law.

SECTION 5. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

APPROVED—The 12th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 791.

An Act

To authorize the chief burgess and town council of Tyrone city, Blair county, to borrow money, and to levy and collect additional tax to pay the interest on the same.

Authorized to borrow money and issue bonds.

SECTION 1. *Be it enacted, &c.*, That the chief burgess and town council of the borough of Tyrone, be and they are hereby authorized and empowered to borrow, on the credit of the said borough, in addition to the sum already borrowed by virtue of the provisions of an act of assembly, approved April second, Anno Domini one thousand eight hundred and seventy-two, any sum or sums of money not exceeding fifteen thousand dollars to be used for borough purposes, and to issue coupon bonds therefor, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually, and the said bonds to be redeemable at the option of the said borough at any time after ten years from the date of issue.

SECTION 2. That said chief burgess and town council are hereby authorized, from time to time, to levy, assess and collect tax, in addition to the taxes now allowed to be levied, assessed and collected, according to the general borough laws of the state of Pennsylvania, and the act of assembly, approved April second, Anno Domini one thousand eight hundred and seventy-two, sufficient to pay the interest on the moneys borrowed by virtue of the provisions of the preceding section of this act, and to reduce and pay off the principal from time to time, as they in their discretion may think proper.

Levy tax to pay interest and redeem loan.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 792.

Supplement

To an act relating to the collection of taxes in the county of Lawrence.

SECTION 1. *Be it enacted, &c.*, That so much of the first section of the act relating to the collection of taxes in the county of Lawrence, approved March first, Anno Domini one thousand eight hundred and sixty-one, as requires the county commissioners to place the taxes levied for the public purposes of the county, and the taxes levied for county loans and other purposes not relating to the public purposes of the county, in two separate columns, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 793.

An Act

To authorize the erection of a poor house in the borough of Susquehanna Depot and township of Oakland, in the county of Susquehanna, state of Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That the provisions of the act to authorize the erection of a poor house in the borough of Montrose and township of Bridgewater, in Susquehanna county, approved the fourth day of April, Anno Domini one

Certain act extended to Susquehanna Depot borough and Oakland township.

thousand eight hundred and sixty-four, be and the same are hereby extended to the said borough of Susquehanna Depot and township of Oakland, in said county.

Directors appointed.

SECTION 2. That Samuel Falkenburg and Gaylord Curtis, of the said borough, and Bradley Beebe, of the said township, be and they are hereby appointed directors of the poor for the said borough of Susquehanna Depot and township of Oakland; the said Gaylord Curtis to hold said office until the first election, the said Samuel Falkenburg until the second, Bradley Beebe until the annual election for township officers in the county aforesaid.

Terms of office.

Constituted a body politic.

SECTION 3. That the said directors above named, and their successors in office, duly elected or appointed and qualified according to the provisions of the act, be and they are hereby created and constituted a body corporate, by the name, style and title of the Asylum for the Poor for the borough of Susquehanna Depot and township of Oakland; and the said corporation or body politic, shall have and possess, enjoy and exercise all the rights, privileges, authority and powers granted or conferred by the act aforesaid upon the asylum for the borough of Montrose and the township of Bridgewater, and the said directors and their successors in office, shall exercise all the duties enjoined by the said act upon the directors of the poor for the said borough of Montrose and the said township of Bridgewater.

Title.

Privileges, &c.

Election of directors.

SECTION 4. That at each annual election of township officers, for the said county, the qualified electors of the said borough of Susquehanna Depot and the said township of Oakland, shall elect one person to serve as director of the poor for said borough and township for the term of three years, in accordance with the provisions of the said act of April fourth, Anno Domini one thousand eight hundred and sixty-four.

Authorized to borrow money and issue bonds.

SECTION 5. The said directors and their successors in office, or a majority of them, are hereby authorized and empowered to borrow money to such amount as they shall deem necessary to carry out the provisions of this act, and to issue bonds therefor in the name of the said corporation, in sums of not less than one hundred dollars each, to bear any rate of interest not exceeding eight per cent. per annum: *Provided however*, That the amount of such loan or loans shall at no time exceed in the aggregate the sum of ten thousand dollars.

Repeal.

SECTION 6. That so much of the laws of this commonwealth as are altered or supplied, or are inconsistent with this act, be and the same are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTMANFT.

No. 794.

An Act

To facilitate the collection of road taxes in the county of Erie.

SECTION 1. *Be it enacted, &c.*, That whenever the road tax of any person in the county of Erie, shall not amount to the price allowed for a days work on the roads and highways, in the respective boroughs and townships, the road commissioners of the several townships and the corporate authorities of the several boroughs in said county, if they see proper, are hereby authorized to collect the said tax in money.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 795.

An Act

Confirming the sale and purchase of the union church property of the Lutheran and German Reformed congregations of Boyertown, Berks county, Pennsylvania, and authorizing the German Reformed congregation to disinter and remove the dead from a portion of their burial ground, and after such removal to sell a portion of said ground.

WHEREAS, The lot of ground situated on the north side of Philadelphia avenue, in the borough of Boyertown, county of Berks, heretofore owned and occupied by the Lutheran and German Reformed congregations of the borough of Boyertown, and parts adjacent, for church, burying ground and school purposes:

Preamble.

And whereas, The said Lutheran congregation have sold their right, title and interest in said union property to the German Reformed congregation, on condition that the said German Reformed congregation may make such use of the same as will be most advantageous to their interests:

Now whereas, Said German Reformed congregation desire to erect a new church, and have not sufficient depth of ground they desire to remove the dead from the front portion of said ground; therefore,

SECTION 1. *Be it enacted, &c.*, That the said Lutheran congregation having sold to the German Reformed congregation of Boyertown, their right, title and interest in said union

Sale and purchase confirmed.

property, situate in the borough of Boyertown and adjacent parts, the said sale and purchase are hereby confirmed.

German Reformed congregation may run line and remove dead.

SECTION 2. That the said German Reformed congregation, of the borough of Boyertown and adjacent parts, be and they are hereby authorized to run a line on said union property, parallel with Philadelphia avenue to the depth of ninety feet, and to disinter and remove the dead bodies buried within this space, and cause the same to be properly and carefully buried and re-interred in the rear portion of said burial ground: *Provided*, That the gravestones and monuments that now designate and mark any particular graves, shall also be removed and re-erected at the corresponding graves.

Notice of removal to be published

SECTION 3. That before any bodies shall be removed as provided in the preceding section, the said congregation shall cause notice of such intended removal to be published at least thirty days, in at least one English and one German newspaper in the county of Berks, and the costs and expenses of such removals shall be paid by the said congregation.

How expenses to be paid.

Sale of portion of ground authorized.

SECTION 4. That the said German Reformed congregation of the borough of Boyertown and parts adjacent shall, after such removal and re-interments have been made, have full power and authority to sell such parts of ground thus vacated as they may not need for church purposes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. FARTRANFT.

No. 796.

An Act

To authorize the auditor general to examine and settle account of James G. Maxwell, deceased.

SECTION 1. *Be it enacted, &c.*, That the auditor general be authorized and he is hereby directed to examine the account of James G. Maxwell, deceased, for building the outlet lock at the head of Nanticoke pool, under contract with the state, and report the amount found due to the next legislature.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 797.

An Act

Relating to the taxation of dogs in the township of East Nottingham, in the county of Chester, and providing for a decrease of the debt of said township, and for the abolition of the sheep fund.

SECTION 1. *Be it enacted, &c.*, That it shall and may be lawful for the auditors of the township of East Nottingham, in the county of Chester, and they are hereby required to cause an accurate return to be made on or before the first day of August next, and annually thereafter, so long as by the provisions of this act it may be necessary, by the assessors of said township, of all dogs upwards of one month of age, owned or possessed by any person or persons in said township, noting the number owned or possessed by each person and kept about any one house; and when said auditors shall have so ascertained the number of dogs as aforesaid, they shall levy, and cause to be collected from every person or persons owning one or more dogs, any sum not exceeding five dollars for each and every dog, by the collectors of the road tax in said township, in the same manner and at the same time as school tax is now collected, and pay the amount thereof over to the township clerk or some other proper person to be designated by the said auditors, and who is hereby constituted treasurer of the sheep fund.

Auditors to cause return of dogs to be made.

Tax to be levied and collected.

To be paid to treasurer of sheep fund.

SECTION 2. The money arising from the taxation of dogs as aforesaid, shall be applied by the said treasurer of the sheep fund, under the direction of the auditors, to the payment of all orders held by any person or persons for damage and destruction done to sheep by dogs, in said township; and when all of said orders now existing shall be duly paid and satisfied, then the said auditors shall cease to levy and collect the tax as aforesaid; and any balance that may remain in the hands of the treasurer of the sheep fund at that time, shall be paid over to the treasurer of the school board for school purposes.

How to be applied.

When tax to cease.

How balance in hands of treasurer to be applied.

SECTION 3. That hereafter the auditors of said township shall not be required to view and ascertain the loss or damage sustained by any person or persons, by reason of destruction or injury of sheep by dogs in said township; and no person or persons suffering loss or damage as aforesaid, shall be entitled to claim recompense therefor from said township.

Auditors not required to view and ascertain damages.

Persons suffering losses not entitled to recompense.

SECTION 4. That all laws now in force in said township, inconsistent with the provisions of this act, be and the same are hereby repealed.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 798.

An Act

Supplemental to an act, declaring Soldier run, in the county of Jefferson, a public highway, approved May first, Anno Domini eighteen hundred and sixty-one.

SECTION 1. *Be it enacted, &c.,* That Soldier run, in the county of Jefferson, be and the same is hereby declared a public highway, from M'Creight and Warnock's (formerly Wm. H. Reynold's) mill to the Sandy Lick creek, in Winslow township, in said county, and all persons interested shall have the right to navigate the same, or drive logs therein, by brackets or artificial floods, when the same is not navigable by natural floods, from the Clearfield county line to the mouth thereof, as aforesaid, of said Soldier run: *Provided*, That the provisions of this act shall not be construed to relieve any person or persons navigating the same, or driving logs therein, from any liability, by reason of any work or damage done by said navigation or driving of logs.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 799.

An Act

To provide for the better working and improving of the roads of Salem township, in the county of Wayne.

Two supervisors
to be elected an-
nually.

SECTION 1. *Be it enacted, &c.,* That the qualified voters of the township of Salem, in the county of Wayne, shall at the spring elections in one thousand eight hundred and seventy-three, and annually thereafter, elect two supervisors of roads.

To procure books,
and number and
describe roads by
sections.

SECTION 2. That it shall be the duty of said supervisors to procure a book in which they shall number and describe the public roads in said townships, by sections, (no section to exceed two miles in length,) and shall distinctly specify therein the location. That within thirty days after election, and every three years thereafter, they shall, after giving ten days' public notice by five or more advertisements, designating the time and place where they will sell at public sale, to the lowest and best bidder, the roads and bridges to be kept in good repair for the next three years, (casualties by flood or fire excepted,) one section at a time; that no person shall buy

To sell repairs.

more than three sections, and repairs to be done in the main by the first of September in each and every year.

SECTION 3. That if any section of said roads shall remain unsold, on account of no bid, or if the bid be too exorbitant in the opinion of the supervisors, it shall be their duty to keep in repair the said section or sections so unsold for one year, at the expiration of which time they shall expose it for sale for the unexpired term of three years.

Duty of supervisors when sections remain unsold.

SECTION 4. That any person or persons purchasing or contracting for a section of road shall write his or their names in the supervisor's book, against the section or sections so purchased or contracted for, and shall give satisfactory security to said supervisors for the faithful performance of his or their part on said contract; it shall be their duty to keep their respective sections in good and substantial repair during the three years, by keeping the middle of the road highest, with a gradual slope each way, where practicable, ditches open, sluices in order, and all loose stones to be removed or broken and covered.

How contracts effected.

How sections to be kept in repair.

SECTION 5. That it shall be the duty of the supervisors to inspect all the roads and bridges in said township, at least once every six months; and if at any time they shall find that any of the purchasers or contractors have neglected or refused to keep in good repair, according to agreement, after giving them ten days' notice, if they or any one of them still neglect or refuse to attend to the road in his or their sections, the supervisors shall employ hands to do the work, and collect or keep back the pay from the contractors for all the expense incurred in putting said roads in repair, with ten per centum added, to be collected as other debts of like amount are collected.

Supervisors to inspect roads and bridges.

To have repairs made in certain cases, and collect expenses from contractors.

SECTION 6. That the supervisors keep a correct account of their proceedings, which shall be entered in the road book, and submitted to the township auditors for their approval, at their annual meetings; for their services they shall each receive two dollars and fifty cents per day, for time actually spent in the duties of their office.

Account of proceedings to be kept and submitted to auditors.

Compensation.

SECTION 7. The supervisors, immediately after the roads in their township are disposed of for three years, they shall proceed and levy a tax agreeable to the amount for which the roads were sold, taking in account all contingencies, supervisors' pay, and new roads, et cetera, collecting one-third in each of the three years; said tax to be collected as other taxes are collected, and paid into the township treasurer, and to be drawn only on the supervisors' order.

Tax for road purposes.

SECTION 8. That all new roads laid out on the presentation of an order from court to the supervisors, they shall number the section, and after advertising as in section second, shall sell the opening of said road, using their discretion in the amount to be expended on it, within the time for which it is sold to open.

New roads.

SECTION 9. All acts or part of acts inconsistent herewith are hereby repealed.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 800.

An Act

For the registration of births, marriages and deaths in the city of Allentown.

Health officer to register marriages, births and deaths.

Annual abstract to be laid before councils.

Duties of clergy-men, magistrates, physicians, undertakers, sextons, &c.

Physicians to give certificates to undertakers.

SECTION 1. *Be it enacted, &c.*, That from and after the first day of May next, the city council of the city of Allentown shall supply the health officer with separate books, in which he shall register, in the manner hereinafter directed, the returns made to him of the marriages which may be contracted, and of the births and deaths which may occur within the said city; he shall also cause an abstract of the same to be made in the month of January next ensuing, and annually thereafter in said month, to the city councils, through the board of health, which abstract shall contain a statement of the marriages solemnized and of the number of births and of deaths, with the reported causes thereof, which have occurred in the said city during the year next preceding the first day of January, with such other information and suggestions in relation thereto, as he may deem of practical utility for the promotion of public health and of general interest to the city.

SECTION 2. That it shall be the duty of clergymen of all denominations, of clerks, or keepers of the records of all churches and religious societies, as also of every magistrate, and of other persons, by or before whom any marriage may hereafter be solemnized or contracted, and of every practicing physician, and of every practitioner of midwifery, and of every undertaker, and superintendent, or sexton of any cemetery or burying ground, in the said city of Allentown, on or before the first day of May next ensuing, (the day on which the law goes into effect,) to report his, her, or their names and places of residence to the health officer, at the office of the board of health; and it shall be the duty of the health officer to have the same properly registered, in index form, in suitable books, to be furnished to the city council as at the order of the board of health. In the event of any of the persons above specified removing to any other place of residence, it shall be their duty to notify the health officer of the fact within thirty days after such removal, except where the persons removing shall cease to act in such official capacity as makes them subject to the provisions of this act.

SECTION 3. That whenever any person shall die in the city of Allentown, it shall be the duty of the physician who attended during his or her last sickness, or of the coroner, when the case comes under his notice, to furnish, within forty-eight hours after the death, to the undertaker or other person superintending the burial, a certificate setting forth, as far as the same can be ascertained, the full name, sex, color, age and condition (whether married or single) of the person deceased, and the cause and date of death.

SECTION 4. That no person having the charge as sexton, or otherwise, of any vault, burying ground or cemetery, within the said city, shall inter or allow to be interred, or place or allowed to be placed in any vault, burying ground or cemetery, the dead body of any person, nor shall any undertaker, or other person, remove the dead body of any person who has died in the said city, and has not been buried, to any place beyond the limits of said city, without first procuring the certificate of the attending physician or of the coroner; to said certificate the undertaker, or other person, having charge of the body, shall as far as can be ascertained, add the occupation of the deceased, the place of birth, the ward, street and number of the house in which the death occurred, the place and date of interment, and where the deceased is a minor, the full name of the parents; in case any person shall die without the attendance of a physician, or if the physician who did attend at the time of the death, refuses or neglects to furnish a certificate as aforesaid, it shall be the duty of the undertaker or of any other person acquainted with the facts, to report the same to the health officer, who shall be authorized to give a certificate of death as aforesaid: *Provided*, It be not a case requiring the attendance of the coroner; every sexton or other person having charge of any vault, burying ground or cemetery within the said city, and every undertaker or other person who shall remove any dead body from or out of the said city, shall return the said certificates to the health officer before twelve o'clock M., on the Saturday of every week, accompanied by a schedule of the same, which returns shall be published weekly by the health officer in such manner as may be designated by the board of health.

No corpse to be interred without such certificate.

What matters to be added by the undertaker.

When health officer may give certificate.

When certificates to be returned to the health officer.

SECTION 5. That in case any physician or the coroner shall refuse or neglect to furnish such certificate as aforesaid, he shall forfeit and pay the sum of five dollars for each offence, and every undertaker, sexton or other person removing the dead body of any person, or having charge of any vault, burying ground or cemetery, who refuses or neglects to perform any of the duties required by this act, shall forfeit and pay for every such offence the sum of twenty-five dollars.

Penalty for refusing certificate.

SECTION 6. That every person practicing midwifery in the city aforesaid, under whose charge or superintendence a birth shall hereafter take place, shall keep an exact register of such birth and shall enter the same on a blank schedule to be furnished by the health officer; this schedule shall contain a list of the births which have occurred under his or her care during the month, and shall set forth, as far as the same can be ascertained, the full name of each child, if any name shall have been conferred, its sex, color, the full name and occupation of its parent or parents, the day and place of its birth; and the said schedule shall be delivered, duly signed by the practitioner, in the form of a certificate, on the first day of each and every month, to the health officer, or to any other authorized person calling for the same; in case the birth of any child shall have occurred, without the attendance of a physician or of a practitioner of midwifery, or should no other person be in attendance upon the mother immediately thereafter, it shall

Duties of persons practicing midwifery.

Schedule of births to be returned to health officer.

then become the duty of the parent or parents of such child to report its birth to the health officer in the manner and form, and within the period above required.

Duties of persons celebrating marriages.

SECTION 7. That it shall be the duty of every clergyman and every magistrate, and of the clerk or keeper of the records of all religious and other societies, and of any other person by or before whom any marriage may hereafter be solemnized or contracted, to make a faithful return of the same at the expiration of every three months to the health officer, in the form of a certificate, which shall set forth, so far as the same can be ascertained, the full name of the husband, his occupation, the place of his birth, his residence and age, the date of marriage, the full name of the wife previous to the said marriage, and her age, the color of the parties, and the place where and the name of the clergymen or other person by whom the marriage ceremony was performed.

Penalty for refusing to register place of residence.

SECTION 8. That every clergyman and every magistrate, and every clerk or keeper of the records of all religious societies, and every practising physician, and every person practising midwifery in the city aforesaid, and every undertaker and superintendent or sexton of any cemetery or burying ground in the city of Allentown, who shall neglect or refuse to leave his or her name and place of residence at the health office as herein provided, and who shall refuse or neglect to perform any other of the duties required as aforesaid, shall forfeit and pay for each offence the sum of ten dollars.

Certificates to be evidence.

SECTION 9. That the books or registers kept by the health officer, or a certificate duly certified by him as containing a copy of the record of any marriage, birth or death, shall hereafter be admitted in any court of the state as *prima facie* evidence of said marriage, birth or death.

How registers to be kept.

SECTION 10. That the registry of marriages, births and deaths shall be kept in separate books, and there shall be general indexes to the record of all marriages, births and deaths, which indexes shall also be kept in separate books.

How books of registry to be prepared.

SECTION 11. That in order to secure uniformity and dispatch in the registration herein provided for, the books shall contain upon the margin of each page printed titles with corresponding blanks for suitable entries for marriages, births and deaths in the order, to wit:

MARRIAGES.

Marriages.

Full name of husband; occupation; residence; birth-place; age when married; full name of wife previous to marriage; residence; birth-place; age when married; time of marriage; color of the parties; ceremony employed; name of person pronouncing the marriage; residence of the last named person; date of certificate; date of registration.

BIRTHS.

Births.

Full name of the child; sex; color; full name of the father; his occupation; full name of the mother; day, month and year of the birth; street and number of house where born; name of the physician or other person signing the certificate; his residence; date of certificate; date of registration.

DEATHS.

Full name of the deceased ; color ; sex ; age ; married or single ; occupation ; birth-place ; date of death ; cause of death ; when a minor, the name of the father and mother ; ward, street and number of house ; date of burial ; date of certificate ; date of registration. Deaths.

SECTION 12. That the health officer shall keep on hand at all times, a supply of blanks for gratuitous distribution to all persons whose duty it shall be to make returns under this act. The said blanks shall be prepared in the form of books, and the margin shall correspond with the printed titles in the books of the health officer, as required by the twelfth section of this act: *Provided*, That all books, blanks and stationery necessary to be used in carrying out the intent and meaning of this act shall be furnished upon an order from the board of health, and shall be paid for by councils, and that the health officer, in consideration of such additional services, shall receive the sum of one hundred dollars, to be paid to him in the manner now directed by law. Blanks to be distributed gratuitously.

APPROVED—The 10th day of April; A. D. 1873.

J. F. HARTRANFT.

No. 801.

An Act

Relative to the supervisors of Killbuck township, Allegheny county.

SECTION 1. *Be it enacted, &c.*, That to authorize the citizens of Killbuck township, to elect two supervisors, annually, at the spring election, each precinct to elect one supervisor ; said supervisors to have full control of all the roads in said township, and also to levy a tax, not exceeding ten mills on the dollar of valuation ; and the money so raised shall be expended in proportion to the number of miles in each precinct, to be for the opening, making, repairing and widening of said roads ; the said supervisors to give bonds to the auditors for the amount of taxes so assessed ; the books and the accounts of the said supervisors to be settled by the auditors of said township, within twenty days after the election of township officers for each year ; and also, the said auditors to have the power to settle the books and accounts of the present supervisors, and to issue subpoenas and attachments against any person to appear and testify as the case may be, and also to produce the books and accounts, before the auditors, that may refer to said settlement. Each precinct to elect a supervisor.
To have control of roads, and levy tax.
How tax to be expended.
To give security.
Their accounts to be settled by auditors.
Powers of auditors.

Duties of supervisors.

SECTION 2. It shall be the duty of said supervisors, immediately after such assessments, to give notice to the citizens of said township, of times and places of working upon said roads, and if the citizens fail or neglect to work out their taxes, then it shall be the duty of said supervisors to issue a warrant and put it in the hands of the constable of said township, for the collection of the taxes, on or before the first of July of each and every year hereafter, by the constable giving bonds to auditors of said township; the said taxes to be collected before the first of September, by the constable, and the supervisors to hire hands to do work on the roads within said time specified.

Their powers.

SECTION 3. Said supervisors shall have full power to open out, repair and widen said roads to the extent of the survey, using all ground, stone and timber upon said surveys, for the use of making and keeping said roads in repair, and if there is any surplus they shall have full power to sell the same, and apply the proceeds to the roads of said township.

May employ surveyor in certain cases.

SECTION 4. In the event that the surveyors of roads cannot be found, the supervisors are hereby authorized to employ a surveyor and define said lines, the expenses to be paid, one-half by the township, and the other half by the owner or owners of the land; and that said supervisors and auditors of that township, shall have power to fix the price of teams, labor of each hand per day, in said roads.

Price of teams, &c.

Repeal.

SECTION 5. So far as this act conflicts with any former act or acts they are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 802.

An Act

To incorporate the Newport and Shermans' Valley Narrow Gauge Railroad Company.

Commissioners.

SECTION 1. *Be it enacted, &c.,* That James Everhart, Joseph W. Frank, B. F. Miller, William Bosserman, J. B. Leiby, Thomas Milliken, William S. Mitchell, Nicholas Miller, David Mitchell, Josiah Fickes, Amos Clemson, Henry Tronp, C. J. T. M'Intire, J. A. Magee, C. A. Barnett, W. A. Sponsler, Isaac Wright, A. J. Fickes, J. W. S. Kough, Thomas Milligan, H. H. Bechtel, Frank Eagle, P. Bosserman, C. Roth, Robert Nelson, John Minich, H. P. Lightner, Benjamin Ritter, Andrew Loy, Samuel Shoemaker, George Hench, Jacob Bixler, Martin Motzer, Israel Lupfer, J. F. M'Neal, Samuel Gutshatt, Jacob Creamer, J. R. Dunbar, Wm. Stumbaugh, Wm. S. Mitchell, James B. Leiby, Jesse L. Gantt, Wilson

Darlington, Isaac Hollenbaugh, John A. Fisher, Hon. Geo. Stroub, Jacob Shirely, Wm. H. Minich, John W. Gantt, James Ferguson, David Clark, Solomon Grey, Wm. Woods, John Bixler, George L. Ickes, Blain Grosh, George Hench, of Blair, Thomas Campbell and Henry Cooper, of Perry county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscription and organize a company by the name, style and title of the Title. Newport and Sherman Valley Narrow Gauge Railroad Com. Privileges, &c. pany, with all the privileges and subject to all provisions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. The capital stock of said company shall consist Capital stock. of one thousand shares, of the value of twenty-five dollars each, with the privilege of increasing to five thousand shares of the same value per share.

SECTION 3. The said company shall have the right to build, Authorized to construct road. construct and equip said road from Newport up the Sherman valley, by such route as they may select, and to connect with any other railroad now built or hereafter to be built.

SECTION 4. That the gauge of said railroad shall not exceed Gauge. four feet, and the said company shall begin the construction of said railroad within three years from the passage of this When construction to be commenced. act.

SECTION 5. That said company shall be authorized to borrow money not exceeding the amount of the capital, issue Authorized to borrow money and issue bonds. bonds therefor in the sum of one hundred dollars each, and secure the payment thereof by a mortgage or mortgages upon the road, property and franchises of said company, at rates of interest not exceeding seven per cent. per annum.

SECTION 6. The board of directors shall consist of seven Directors. stockholders, who shall be elected annually, on the first Monday in January, by the stockholders, after their first organization.

SECTION 7. That said board of directors are authorized to Officers, rules, &c. elect such officers and establish such rules and regulations for the government of said company, as they may deem proper and consistent with law.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 803.

An Act

To change the venue in a certain case from Wyoming county to Susquehanna county.

SECTION 1. *Be it enacted, &c.,* That the venue in the case now pending in the court of common pleas of Wyoming

county, in which James Bunnell is plaintiff, and J. O. Smith, Elias Treible, Samuel M'Lain, Charles Place, Albert Jennings and Porter Jayne are defendants, being number two hundred and forty-five of August term, one thousand eight hundred and seventy-two, be and the same is hereby removed to the court of common pleas of Susquehanna county, to the coming term or at any subsequent term of said court, where it shall be heard, tried and determined, and verdict and judgment be had thereon with the same effect as if it had been tried in the county of Wyoming, and all records and papers in the case shall be certified and transferred by the proper officers of said court of common pleas of Wyoming county to the court of common pleas of Susquehanna county: *Provided*, That the county of Wyoming shall bear all the expenses of said trial incurred by the county of Susquehanna which cannot be recovered from the parties by law.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 804.

An Act

For the relief of William A. Oaks and the heirs of Andrew Porter Wilson, deceased.

WHEREAS, William A. Oaks and Andrew P. Wilson, in his lifetime, did, respectively, under the direction and order of General Joseph Y. James, furnish and deliver at Camp Crossman, in the county of Huntingdon, for the use of the Pennsylvania volunteers to suppress the rebellion, there encamped, a large amount of beef, provisions, forage, fuel and other material, which volunteer recruits were afterwards mustered into the service of the United States, and for which the said Wm. A. Oaks or Andrew P. Wilson, in his lifetime, or his heirs since his decease, have never received any pay or allowance; therefore,

SECTION 1. *Be it enacted, &c.*, That the auditor general be and he is hereby authorized to examine the claims of William A. Oaks and of Andrew P. Wilson, late of Huntingdon county, deceased, for provisions, forage, fuel and materials furnished at Camp Crossman, for the use of the Pennsylvania volunteers there encamped in the year one thousand eight hundred and sixty one, and after such examination shall make report to the legislature.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 805.

An Act

To authorize the borough of Kennett Square to erect water works and to supply the said borough with water.

SECTION 1. *Be it enacted, &c.*, That for the purpose of introducing into the borough of Kennett Square, in the county of Chester, a sufficient supply of fresh and pure water, the corporate authorities of the said borough be and they are hereby authorized and empowered to purchase and hold in the name of the said borough, in fee simple or for any less estate, any water power or powers, in, near or convenient to the said borough, or any lands, tenements or hereditaments to which any water power or powers may be appurtenant, with full power, the same or any part thereof to grant, bargain, sell, alien, convey, mortgage, pledge, charge, encumber and demise, and dispose of at their will and pleasure, and also to take, occupy and enjoy any stream or streams of water, or spring or springs, in, near or convenient to the said borough; or any lands to which any stream or streams of water, or spring or springs may be appurtenant, with full power to hold the same for the purpose above mentioned, they doing as little damage as possible, and making compensation to the owner or owners thereof, in the manner hereinafter provided for.

Authorities may purchase water power, &c.

SECTION 2. That the said corporate authorities of the borough of Kennett Square, shall have full power and authority to provide, erect, construct and maintain all works and machinery, or engines, necessary or proper for introducing into the said borough a sufficient supply of fresh and pure water, and shall provide, erect, construct, and maintain all proper buildings, cisterns, reservoirs, machinery, dams, trenches, pipes, and all works and things necessary or proper to the full and entire completion of the same; and for this purpose, they are hereby authorized and empowered by themselves, their agents, artisans, engineers and workmen, with their tools, instruments, carts, wagons and other carriages and beasts of burthen, or draft, from time to time, and at all times hereafter, to enter into and upon any lands or enclosures, and public or private roads or highways, or streets, as may be necessary, and to occupy, dig, ditch and lay pipes through the same, and to erect and maintain thereon such cisterns and reservoirs as may be needful and proper for the purposes aforesaid, and the same to raise, alter and repair, doing as little damage to private property as possible, and making compensation to the owner or owners thereof, in the manner hereinafter provided for.

Erect works.

Enter upon lands and highways, and dig ditches.

SECTION 3. The said corporate authorities of the borough of Kennett Square, their superintendents, engineers, workmen and laborers, with their tools, instruments, carts, wagons and other carriages, and beasts of burden or drafts, may enter upon

Enter upon lands contiguous to works, and take materials.

lands contiguous to the dam or dams, works, cisterns and reservoirs which they may erect on the route upon which they may lay their pipes, and from thence take and carry away stone, earth, sand or other material necessary to the construction or repair of the said dam or dams, work, cisterns and reservoirs, or to the proper laying down of the said pipes, doing as little damage as possible, and repairing any breaches they may make in the enclosures thereof, and making compensation to the owner or owners thereof, in the manner hereinafter provided for.

Proceedings in cases of disagreement as to damages.

SECTION 4. If the parties cannot agree upon the compensation to be made to the owner or owners of such lands and enclosures required for the use of said works, it shall and may be lawful for the parties to appoint six suitable and judicious persons who shall act under oath or affirmation, a majority of whom shall be competent to make and award in the case; or if they cannot agree upon such persons, then either of the parties may apply to the court of common pleas of the county of Chester, and the said court shall award a venire directed to the sheriff, to summon six disinterested men of this county in order to ascertain and report to the said court what damages, if any, has been done by the said corporation of the borough of Kennett Square, which report being confirmed by the court, judgment shall be entered thereon and execution may issue in case of non-payment of the sum awarded, with reasonable costs to be assessed by the court: *Provided*, That either party may appeal to the court within thirty days after such report shall have been filed in the prothonotary's office, in the same manner as appeals are allowed in other cases, whether the said report was made by persons agreed upon by the parties, or summoned by the sheriff, upon which appeal such proceedings shall be had as are used in actions for damages at common law: *And provided further*, That it shall be lawful for the said corporation of the borough of Kennett Square, to enter at once into possession or use of such lands and premises upon giving or tendering to the claimant or claimants their bond or bonds, in such amount and with such security as may be approved by one of the judges of said court, conditioned for the payment of such sums as the said claimant or claimants shall be entitled to receive after assessment made as aforesaid.

May take immediate possession of lands, &c., upon tendering bonds to claimants.

May pass ordinances relative to conveyance of water, fix hydrants, &c.

SECTION 5. The said corporate authorities in council assembled, shall have full power and authority to pass, enact and ordain all laws and ordinances necessary to enable them to convey the said water through the borough in all directions, and to fix hydrants and fire-plugs wheresoever they may deem proper, and to fix and determine from time to time the rates of prices to be paid by the citizens for the use of said water, and the penalties for non-payment, and to protect the water works, cisterns, reservoirs, pipes, plugs and hydrants from damage or destruction, and generally to do all things requisite and necessary for carrying into full and perfect effect the objects contemplated by this act.

Borrow money and issue bonds.

SECTION 6. That the burgess and town council of said borough of Kennett Square are hereby authorized and em-

powered, for the purpose of carrying into full effect the provisions of this act, to borrow in the name, and on the faith, credit and responsibility of said borough, such sum or sums of money not exceeding twenty-five thousand dollars, as they may deem necessary for the aforesaid purpose, in addition to any sums heretofore authorized to be borrowed for other purposes; and to issue bonds or certificates of indebtedness in the name of the said borough of Kennett Square, under the corporate seal, attested by the burgess and treasurer, or secretary, to the purchaser or purchasers of said loan, in such sums as the said borough authorities may see proper, and bearing such rate of interest not exceeding seven per centum per annum, and redeemable at such times as may be agreed upon; and to levy, assess and collect such taxes from time to time as may be necessary to pay the interest on such loans, and to redeem the principal at such times and in such manner as may be conformable to the terms upon which the same shall have been taken.

Levy taxes to pay interest and redeem loans.

SECTION 7. That the said authorities shall also have power from time to time, to borrow moneys in the manner aforesaid, for the purpose of redeeming and paying off any loan or loans contracted by virtue of the last preceding section, and shall have all the powers for levying, assessing and collecting taxes for the purpose of redeeming the same, principal and interest, as are given in the last preceding section of this act in relation to the original loans.

Borrow money to redeem loans.

SECTION 8. That the said borough authorities shall have power to levy and collect annually, for borough purposes and for the purposes authorized by the foregoing sections of this act, any tax not exceeding one cent on the dollar on the valuation assessed for county purposes as now is or may be provided by law; all property, offices, professions, occupations and persons made taxable by the laws of this commonwealth for county rates and levies, shall be taxable after the same manner for said borough purposes and for the purposes authorized by this act.

Taxation for borough and water purposes, relative to.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 806.

An Act

To prevent horses, sheep and swine from running at large in the township of Milford, in the county of Pike, and to make the owners liable for damages.

SECTION 1. *Be it enacted, &c.,* That from and after the first day of May next, all horses, cattle, sheep and swine belonging

Cattle, &c., at large, to be considered strays.

May be taken up
and disposed of.

to farmers or other person or persons, found running at large upon the streets and alleys in the village of Milford or public roads or highways in the township of Milford, in the county of Pike, shall be considered in character of strays, and may be taken up as such by any person, and shall and may be disposed of under existing laws of this commonwealth relating to strays, if such person shall see proper to prosecute the same.

Owners liable for
damages done.

SECTION 2. That the owner or owners of any horses, cattle, sheep and swine found running at large, or upon the streets or alleys or public roads or highways, in the township of Milford, shall be liable for all damages done by any of said animals so running at large, to be recovered in an action of trespass by the party injured, without regard to the ownership of the land, or whether improved or unimproved, or the streets and alleys or public roads or highways aforesaid, and whether any of the same be fenced or without fence: *Provided*, This act shall not apply to any of said animals that may have accidentally escaped from their enclosures, nor shall the owner or owners of the same be liable for damages when the same have so escaped.

When act not ap-
plicable.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 807.

An Act

To repeal an act relative to sewerage, macadamizing and paving streets, and assessments in the city of Lancaster.

SECTION 1. *Be it enacted, &c*, That the act, entitled "An Act relative to sewerage, macadamizing and paving streets, and assessments in the city of Lancaster," approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-two, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 808.

An Act

Authorizing the electors of the borough of Lykens, in the county of Dauphin, to elect one supervisor for said borough, et cetera.

SECTION 1. *Be it enacted, &c.*, That the qualified electors of the borough of Lykens, in the county of Dauphin, on the third Friday of March, one thousand eight hundred and seventy-three, and every succeeding March election thereafter, elect but one supervisor for said borough instead of two supervisors; and that all laws heretofore enacted in relation thereto be and the same are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 809.

An Act

To repeal an act for the appointment of an auctioneer for the county of Westmoreland, approved twentieth March, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted, &c.*, That the act providing for the appointment of an auctioneer for the county of Westmoreland, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 810.

An Act

To prevent the carrying of deadly weapons within the city of Harrisburg.

SECTION 1. *Be it enacted, &c.*, That any person who shall carry any pistol, dirk-knife, slung-shot or deadly weapon

within the city limits of Harrisburg, except police officers, shall be deemed guilty of misdemeanor, and being convicted thereof, shall be sentenced to undergo an imprisonment or be fined in any sum of not less than fifty dollars, or both, at the discretion of the court, and in case of non-payment of the fine so imposed, shall be imprisoned for a period of not less than three months, and be required to give security for future good behavior. The fines collected shall be paid into the city treasury for the use of said city.

APPROVED—The 12th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 811.

An Act

To incorporate the Mountain Grove Camp-Meeting Association of the Methodist Episcopal Church.

Corporators	SECTION 1. <i>Be it enacted, &c.,</i> That Reverends Samuel Barnes and Samuel Creighton, Messrs. J. M. Shoop, N. P. John, M. W. Jackson, B. G. Welch, Stephen Turnbaugh, E. M. Wardin, A. J. Amerman, J. R. Cleaver and Joseph Smith, with such other person or persons, citizens of this state and of any other state, as may associate with them, and their successors, be and they hereby are created a body politic and
Title.	corporate in law by the name, style and title of the Mountain Grove Camp-Meeting Association of the Methodist Episcopal Church, for the purpose of providing and maintaining for
Purpose.	the members and friends of the Methodist Episcopal church a proper, convenient, desirable and permanent camp-meeting ground and christian family resort; and by the name of the Mountain Grove Camp-Meeting Association of the Methodist Episcopal Church, shall have perpetual succession, and be
Powers and privileges.	able to sue and be sued in any court of law or equity, and may have and use a common seal, and the same at their pleasure alter and renew; and shall have power to purchase and hold such real and personal estate, and erect such buildings and improvements thereon as they may deem necessary, proper or desirable for the purposes and objects of the corporation, and the same, or any part thereof, to dispose of in parcels or otherwise, by lease, or in fee simple, or otherwise, on such terms, conditions and restrictions, not repugnant to the laws of this state or the United States, as they may see fit; and the said corporation shall have authority to receive gifts or bequests, by will or otherwise, for the purpose of ornamenting, improving and maintaining the camp-ground of said association. The managers of the said corporation shall have power to borrow money to any amount, not ex-
Managers may borrow money.	

ceeding ten thousand (\$10,000) dollars, at such rates of interest as they may deem proper, and to secure payment of the same by bond and mortgage on their corporate property.

SECTION 2. That it shall be lawful for said corporation to construct and provide all necessary works to supply the said premises with water and artificial light, and to provide all the conveniences and make all other improvements which may be deemed necessary or desirable.

May provide works to supply premises with water, &c.

SECTION 3. That the affairs of said association shall be conducted by a board of eleven (11) managers, who shall be elected by ballot from among the stockholders, and all of whom shall be either ministers or lay members of the Methodist Episcopal church. The corporators named in the first section of this act shall constitute and be the first managers of said association, and shall hold office till the first Tuesday following the first Sabbath of the camp-meeting services, Anno Domini one thousand eight hundred and seventy-three, or until their successors are elected, or an election shall be held under the provisions of this act; any manager resigning, dying or ceasing to be a member of said church, or being guilty of conduct deemed incompatible with the objects and purposes of the corporation, his place may be declared vacant, and a successor duly elected by a two-third vote of the remaining managers present at any regular meeting of the association.

Managers.

Vacancies.

SECTION 4. The said board of managers shall, from their own number, elect a president, vice president, secretary and treasurer annually, and may appoint any such other officers of the corporation as they may think proper from time to time, and pass and enforce such by-laws as they may deem needful: *Provided*, That the same be not repugnant to the constitution of this state, or of the United States.

Officers.

By-laws.

SECTION 5. That the real and personal property of said corporation and the improvements thereupon, shall be exempted from all assessments and taxation, and the estate of the lessees or other proprietors shall not be assessed, levied on or taken by execution nor by any process of law or equity; neither shall their estate be aliened, devised or bequeathed as to vest any right in the alienee or devisee without the approval of the board of managers, and the said estate or property shall be held subject to the constitution, by-laws and regulations of the said corporation.

Property exempted from taxation.

Estate of lessees exempted from execution, &c.

SECTION 6. That said board of managers shall have power to appoint such peace officers as may be deemed necessary, for the purpose of keeping order on the camp grounds and premises of the corporation, which officers shall be paid by said corporation, if the managers of the same deem it proper or necessary so to do, for their services, and shall have, while on duty, the same power, authority and immunities which justices of the peace, police officers, constables and other peace officers under the laws of this state possess or enjoy when on duty as such, and they shall have power to enforce obedience on said grounds and premises to any rule or regulation of said managers, for the preservation of quiet and good order.

Managers may appoint peace officers

Powers of such officers.

Sale of liquors,
fruit, &c., near
grounds, prohib-
ited.

Proviso.

Disturbances of
meetings, prohib-
ited.

Roads not to be
opened through
grounds without
consent of mana-
gers.

Injuries to
grounds, discharg-
ing fire-arms, &c.,
prohibited.

Penalties for vio-
lating certain sec-
tions.

SECTION 7. That it shall not be lawful for any person or persons to erect, place or have any booth, stall, tent, carriage or any other place whatsoever, for the purpose or use of selling, giving or otherwise disposing of any kind of spirituous liquors, wine, porter, beer, cider or any other fermented, mixed or strong drink, or any other article of traffic, such as pastries, meats, watermellons, fruits, et cetera, within two (2) miles of the place of holding the camp meeting of the association, during the period of the holding of the said camp meetings from time to time: *Provided*, That this article shall not be so taken, construed or understood as to affect any person or persons who shall have a permit in writing from the managers of said association to sell bread and other articles necessary for man or beast, or keep a boarding house on the grounds of said association, or so near said grounds as to accommodate those attending divine worship upon them.

SECTION 8. That it shall not be lawful for any person or persons whatever, either on the Sabbath or any other day or time, to wilfully interrupt or disturb any assembly of people met for religious worship on the camp grounds of said association, either by making a noise or by rude and indecent behavior or profane discourse, whether within their place of worship or out of it, so near the same as to disturb the order or solemnity of the meeting.

SECTION 9. That no streets or roads shall be opened through the lands of said association, except by and with the consent of the board of managers of the same; and it shall not be lawful for any person or persons wilfully to destroy, mutilate, deface, cut, break, injure or remove any ornamental or other tree, shrubbery, fence, railing or other work for the protection or ornamentation of the grounds of said association, or any building, or other structure placed thereon, or to shoot or discharge any gun or other fire-arms within the limits of the camp grounds of the said association, or so near the same as to disturb the order and solemnity of any meeting held upon such grounds.

SECTION 10. Any person or persons violating the provisions of the seventh section of this act, on conviction thereof, shall forfeit and pay a fine of twenty-five dollars and costs for the first offence, fifty dollars and costs for the second offence, and one hundred dollars and costs for every subsequent offence. Any person or persons violating the provisions of section eighth of this act, on conviction thereof, shall forfeit and pay a fine of not less than ten dollars and costs, nor more than fifty dollars and costs; any person or persons violating the provisions of section ninth, on conviction thereof, shall forfeit and pay a fine of not less than five dollars and costs, one-half of which fine or fines shall be for the use of the said association and the other half to the supervisors of the road diverging from where said grounds may be located; and if said fine and costs are not paid, on conviction, then every such offender shall be committed to the jail of Luzerne county, or other county jail most convenient, there to remain thirty days, or until the fine and costs are paid. The justices of the peace

of Luzerne and Columbia counties shall severally have jurisdiction for all causes of action arising under this act.

SECTION 11. That the capital stock of said association shall not exceed twenty thousand dollars, the shares to be twenty-five dollars each; and at all elections and general meetings of the stockholders of said association, each stockholder may in person or by proxy cast one vote for each share of the capital stock held and owned by any such stockholder; and the managers of said association shall have power to require payment of any amount remaining unpaid on the stock of said association, at such time and in such proportions as they may think proper after thirty days' notice, under penalty in case of non-payment as required, of forfeiture to the association of such stock and all previous payments thereon. The annual meeting of the stockholders for electing managers and transacting other business shall be held on the camp ground on the Tuesday following the first Sabbath of the camp-meeting, at one and a-half o'clock in the afternoon; and in case of special meetings, notice of the time and place shall be sent by the secretary in writing, to all stockholders, at least ten days before said meetings; special meetings of the stockholders may be called, either by the president and secretary, or by any five stockholders and the secretary.

Capital stock.

Votes.

Payment of amounts remaining unpaid on stock.

Annual meeting of stockholders.

Special meetings.

SECTION 12. That the religious department and services of the camp-meeting to be held on the premises of the association from time to time, shall be under the supervision and direction either of the presiding elder of the district in which it is held or of some one appointed by him, who shall have charge in his stead.

Supervision of religious department.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 812.

An Act

To declare Henry Torrence Sallade, the adopted son and heir-at-law of Jacob Sallade.

WHEREAS, Jacob Sallade, of the city of Williamsport, in the county of Lycoming, has brought up, maintained and educated, and is desirous of adopting as his son and heir-at-law, Henry Torrence Sallade, of the same place, who is over the age of twenty-one years; therefore,

SECTION 1. *Be it enacted, &c.*, That Henry Torrence Sallade, of the city of Williamsport, in the county of Lycoming, be and is hereby made and declared the adopted son and heir-at-law of Jacob Sallade, of the same place, to be capable of

inheriting the estate and property of the said Jacob Sallade, as freely, and to all intents and purposes, as if he had been begotten by him in lawful wedlock.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 813.

An Act

To divide the township of Southampton, in the county of Bedford, into three election districts.

Divided into three districts.

District number one.

District number two.

District number three.

Judges and inspectors for district numbers one and two.

Election officers for district number three.

SECTION 1. *Be it enacted, &c.,* That hereafter the township of Southampton, in the county of Bedford, shall be divided into and constitute three separate election districts, as follows: The qualified electors of Southampton township, Bedford county, residing west of the summit of Tusseys mountain, to vote at the school house near lands of heirs of Archibald Perdew, deceased, and shall be designated as Southampton number one; the qualified electors of the said township, residing east of the summit of Ragged mountain and east of a straight line produced from the south-western extremity of Ragged mountain, to the summit of Big mountain, to vote at the house of John A. Mors, in said township, and shall be designated as Southampton number two; the remainder of the qualified voters of said township to vote at the house of Wm. Adams in said township, and shall be designated as Southampton number three.

SECTION 2. The qualified electors of Southampton number one, and Southampton number two, respectively, shall on the second Tuesday of October, Anno Domini one thousand eight hundred and seventy-three, choose from among their number present at the polls, between the hours of seven and nine o'clock in the forenoon of said day, a judge and two inspectors of election, who shall perform all the duties enjoined by law upon the officers of an election board, and shall be governed by all the regulations now prescribed for election officers by the laws of this commonwealth, and shall hold their office until after the third Friday in March, Anno Domini one thousand eight hundred and seventy-four. The election officers chosen by the qualified electors of the township of Southampton, at the election held on the third Friday of March, one thousand eight hundred and seventy-three, shall hold the elections at Southampton number three, until their successors shall have been chosen at the election on the third Friday of March, one thousand eight hundred and seventy-four.

SECTION 3. The assessors of Southampton township shall make out a separate assessment and registry for each of said election districts, and the commissioners of Bedford county shall furnish the election board of each of said districts with a copy of said assessment and registry as now provided by law.

Assessors to make separate assessment and registry for each district. County commissioners to furnish copy.

SECTION 4. The officer designated by law to collect the unpaid taxes, and taxes on the extra assessment or ten day list for Southampton township, shall attend in person at all elections held in the election district of which he is a resident, and shall deputize a resident of each of the remaining districts, at least five days preceding any election, to collect such taxes in his proper district, and shall furnish such deputies, when appointed, a correct copy of the duplicates or tax lists, for their respective election districts.

Collection of unpaid taxes and taxes on extra assessment lists.

SECTION 5. At all elections for township officers the election boards of the said several election districts shall make out and certify over their proper signatures the number of votes cast for each candidate at their respective polls, and place such return in the hands of the judge of the election, who shall on the Saturday immediately following the day on which such election was held, meet the judges of the election of the other two election districts, at the house of Wm. Adams, and the board of return judges of the township thus constituted shall compute the return of votes for the several candidates for township officers delivered to them by their respective boards, and make out a statement of the same, which shall be certified over their proper signatures and sealed and deposited by one of their number in the office of the clerk of quarter sessions of Bedford county: *Provided*, That the qualified electors of each of said election districts shall on the third Friday of March, one thousand eight hundred and seventy-four, and annually thereafter, elect the election officers of their respective districts as they are now elected by the qualified electors of the other election districts in said county.

Returns of elections.

Election of officers to conduct elections.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 814.

A Further Supplement

To an act, entitled "An Act appointing commissioners to lay out and open a state road from near Lymanville, by way of Dry Run and West Branch of Pine creek, to Germania, in the county of Potter."

SECTION 1. *Be it enacted, &c.*, That the commissioners of the said Lymanville and Germania state road, are hereby authorized to issue their bonds, in a sum not exceeding fifteen

hundred dollars, in addition to the amount of bonds allowed in the act to which this is a supplement, for the purpose of finishing said state road, and may either borrow money thereon, or issue them to the contractors for building said road, or any part thereof; the said bonds to be in same amounts, and interest to be the same as the bonds authorized in the said original act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 815.

An Act

To extend the provisions of an act, entitled "An Act relative to the election of township officers in township of Butler and county of Schuylkill," approved the ninth day of February, Anno Domini one thousand eight hundred and seventy, to the township of Mahanoy in said county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act relative to the election of township officers in the township of Butler and county of Schuylkill," approved February ninth, Anno Domini one thousand eight hundred and seventy, be extended to the township of Mahanoy in said county.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 816.

An Act

To extend the provisions of an act relating to costs in Luzerne county, approved the second day of April, Anno Domini, one thousand eight hundred and sixty-three, to the county of York, with a proviso, et cetera.

SECTION 1. *Be it enacted, &c.*, That the several provisions of the act, entitled "An Act relating to costs in Luzerne county," approved the second day of April, Anno Domini one thousand eight hundred and sixty-three, be and

the same are hereby extended to the county of York: *Provided*, That the same shall only apply to the fees of sberiff, clerk of the court, district attorney, justices of the peace and constables, and only to cases where the costs cannot be collected from the person or persons liable to pay the same.

APPROVED—The 10th day of April, A. D. 1873.

No. 817.

A Supplement

To an act to authorize the erection of a poor house, by the borough of Danville, and township of Mahoning, in the county of Montour, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted, &c.*, That on and after the passage of this supplement, one of the directors of the poor, elected under the act to which this is a supplement, shall reside in the township of Mahoning, one of said directors in either the First or Second ward, and one in either the Third or Fourth ward, of the borough of Danville.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 818.

An Act

To repeal an act defining the duties of constables in the counties of Susquehanna and Bradford, approved March nineteenth, Anno Domini one thousand eight hundred and sixty-nine, so far as relates to the county of Susquehanna.

SECTION 1. *Be it enacted, &c.*, That the act approved the nineteenth day of March, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act to repeal all laws that require constables of the several townships and boroughs of the counties of Bradford and Susquehanna, to make returns to the several courts of said counties, and also providing that the several townships and boroughs shall pay the constables for attendance on elections," be and the same

is hereby repealed, so far as relates to the county of Susquehanna.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 819.

An Act

To repeal an act, entitled "An Act to vacate an alley in the borough of Danville."

SECTION 1. *Be it enacted, &c.*, That the act vacating the alley in the First ward of the borough of Danville, in the county of Montour, between Market and Front streets, and extending eastward from Rough and Ready street to Elm street, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 820.

An Act

Extending the provisions of an act, entitled "An Act relative to roads and public highways in Fulton township, Lancaster county," approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-eight, and to Peach Bottom township, in the county of York.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act relative to the roads and public highways in Fulton and Salisbury townships, Lancaster county," approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-eight, are hereby extended to the township of Peach Bottom, in the county of York, Pennsylvania.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 821.

An Act

To repeal an act, entitled "An Act extending the provisions of an act, entitled 'An Act relating to roads in Worth township, Butler county, to Connoquenessing and Brady townships, in said county,'" so far as the same relates to Connoquenessing township.

SECTION 1. *Be it enacted, &c.*, That the act, entitled "An Act extending the provisions of an act, entitled 'An Act relating to roads in Worth township, Butler county, to Connoquenessing and Brady townships, in said county,'" be and the same is hereby repealed so far as relates to Connoquenessing township.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 822.

A Supplement

To an act, entitled "An Act appointing commissioners to lay out and open a state road in the counties of Potter and Clinton," approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted, &c.*, That the commissioners in the said act of assembly to which this is a supplement, are hereby authorized to levy and assess on the lands named, in the county of Potter, in said act of assembly, a tax of five mills on the dollar, according to the valuation for the county rates and levies in addition to that now authorized by law.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 823.

An Act

Changing the maximum rate of road tax in the township of Saville,
in the county of Perry.

SECTION 1. *Be it enacted, &c.*, That on and after the passage of this act, not more than six mills on the dollar shall be levied as road tax in any one year in the township of Saville, in the county of Perry. All acts or parts of acts inconsistent with this act, are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 824.

An Act

To increase the salary of supervisors of Lincoln township, Allegheny
county.

Pay of supervisors.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the supervisors of Lincoln township shall be paid the sum of two dollars and fifty cents per day for what time they may spend working on the roads in said Lincoln township.

Repeal.

SECTION 2. In any act inconsistent with the above, in said Lincoln township, is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 825.

An Act

Relative to the compensation of road commissioners, road viewers,
reviewers and surveyors in the county of Venango.

Compensation of
road commis-
sioners.

SECTION 1. *Be it enacted, &c.*, That from and after the first day of April, one thousand eight hundred and seventy-three, the compensation of the road commissioners of Venango

county, shall be fixed by the several township auditors at such sum as they shall deem just and equitable, not exceeding two dollars and fifty cents for each and every day actually employed in the discharge of their duties.

SECTION 2. That the compensation of road viewers and re-viewers shall be three dollars per day, and surveyors six dollars per day, while actually employed under competent authority upon road views or reviews in the said county. Compensation of road viewers and reviewers, and surveyors.

SECTION 3. That all acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 826.

An Act

Authorizing the auditors of Forest county to re-audit the accounts of James P. Siggins, late treasurer of said county.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the auditors of the county of Forest, after ten days' notice to the commissioners of said county and to said James P. Siggins, to meet at the commissioners' office, in said county, and re-audit the accounts of James P. Siggins, late treasurer of said county, and having so made the same, like proceedings shall be had as in other cases; and such re-audit so made as aforesaid shall have the same effect as in other cases against the county as against the said James P. Siggins and his sureties.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 827.

An Act

To authorize the town council of the borough of Canton, county of Bradford, to levy and collect an additional tax for borough purposes.

SECTION 1. *Be it enacted, &c.*, That the town council of the borough of Canton, in the county of Bradford, be and they are hereby authorized to levy and collect a tax of three mills Authorized to levy and collect additional tax.

on the dollar of assessed valuation of property, in addition to the five mill tax they are now authorized by law to levy and collect for borough purposes.

How to be collected, &c.

SECTION 2. This additional tax shall be collected as other taxes are now collected by law, shall be levied and collected for one year only, and the money so collected shall be applied to the payment of the borough debts.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 828.

An Act

Authorizing J. D. Risher, a justice of the peace in the township of Shenango, Mercer county, to remove his office into the corporate limits of the borough of West Middlesex.

SECTION 1. *Be it enacted, &c.*, That J. D. Risher, a justice of the peace in the township of Shenango, Mercer county, be and is hereby authorized to remove his office into the corporate limits of the borough of West Middlesex, in said county, for the transaction of all business pertaining to said office.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 829.

An Act

To provide for the purchase of law library for the use of the attorney general's office.

SECTION 1. *Be it enacted, &c.*, That the state treasurer is hereby authorized and directed to pay the bills for law books that may be found necessary and purchased for the office of attorney general: *Provided*, Said bills be certified by the attorney general to be correct, and not more than one thousand dollars to be expended for such purpose.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 830.

An Act

To annul the marriage contract existing between William Crawford and Jane, generally known as Ann Jane Crawford.

WHEREAS, The said Jane, generally known as Ann Jane Crawford, since her marriage has been afflicted with an unconquerable desire for liquors, and has been and is addicted to gross habits of intoxication, attendant with abuse and neglect of her family and discomfort of her said husband :

And whereas, The said parties have not lived nor cohabited together since the twenty-fifth day of September, Anno Domini one thousand eight hundred and seventy-two :

And whereas, The courts have not jurisdiction in the premises ; therefore,

SECTION 1. *Be it enacted, &c.*, That the marriage contract between said William Crawford and Jane, known as Ann Jane Crawford, his wife, of the city of Philadelphia, in the state of Pennsylvania, be and the same is hereby annulled and made void, and the parties released and discharged from said contract and from all duties and obligations arising therefrom, as fully as if they had never been joined in marriage.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 831.

An Act

To incorporate Friends' Book Association of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That Dillwyn Parrish, Henry H. Bently, Isaac H. Clothier, Susannah M. Parrish, Amos J. Peaslee, Henry M. Laing, Harriet E. Stockley, William Canley Biddle, Sarah F. Corlies, Nathaniel E. Janney, William Griseon, Louisa J. Roberts, T. Ellwood Chapman, Mary A. Shourds, Joseph M. Truman, Jr., John Comley and Thomas H. Speakman, their successors, associates and assigns, or a majority of them, be and they are hereby authorized to form and be a body politic and corporate in deed and in law, by the name, style and title of Friends' Book Association of Philadelphia, and as such shall have perpetual succession and all the privileges, franchises and immunities of a corporation ; may sue and be sued, plead and be impleaded,

Corporators.

Title.

Powers and privileges.

complain and defend in all courts of equity and law; may purchase, receive, have, hold and enjoy, to them, their successors and assigns, all estate, real, personal and mixed, as may be necessary to carry on the proper business of the association, and the same, from time to time, may sell, grant, convey, mortgage, alien and dispose of, and may make dividends of such portions of their profits as they may deem proper.

Object.

SECTION 2. The object of the said association is to conduct an establishment for the purchase and sale of books, publications and incidentals, and it shall have authority to print, publish and issue such books and publications as its stockholders or board of managers may direct.

Capital stock.

SECTION 3. The capital stock of said association shall consist of one thousand shares of the par value of ten dollars each; and the persons named in the first section of this act,

Subscriptions.

or any of them, are authorized to open books for subscriptions to the capital stock, to call in assessments upon the same, and to define the terms and manner of payment; and when five hundred shares have been subscribed, a meeting of the subscribers shall be called, and shall thereupon elect a president, board of directors, and such other officers as they may deem necessary, (each share of stock being entitled to one vote.)

Election of president, directors and other officers.

By-laws.

At the meeting of said stockholders, a series of by-laws shall also be adopted, setting forth the length of time for which officers shall be elected, and such other matters and things as may be deemed necessary for the proper conducting of the business of the association; and at this or any future meeting of the stockholders, held after one week's notice, it shall be competent for such stockholders, by a vote of not less than two-thirds of the entire capital stock, to increase such capital stock to such an amount as may be deemed necessary to promote the objects for which this association was formed: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Increase of capital stock.

Bonus and taxes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 832.

An Act

To authorize and empower Randall Bishop, his executors or administrators, to make distribution of the trust funds in his hands, under the will of Esther Davis, deceased, to and among the heirs and legal representatives of the said Esther Davis, according to law.

WHEREAS, Esther Davis, late of the county of Delaware, deceased, in and by her last will and testament, bearing date the twenty-first day of the eighth month, (August,) Anno

Domini one thousand eight hundred and forty-six, since duly proved and remaining of record in the register's office of Delaware county aforesaid, did, after sundry bequests, give and bequeath to Randall Bishop of said county, the residue of her estate in trust, to place the same at interest, until the principal and interest shall have increased to the sum of one thousand dollars, and then to apply the same to the building of a house in the township of Springfield, in said county of Delaware, for the use of the members of the New Jerusalem church, in the said township of Springfield, as in and by the said will, remaining of record in the office of said register in will book "D," page one hundred and fifty-nine, more fully appears :

And whereas, The said fund has increased to nearly the sum of eighteen hundred dollars, but the said house has not been erected :

And whereas, There are no members of the said New Jerusalem church in the said township of Springfield, to enjoy the benefit of said trust, and its purpose has so far failed ; therefore,

SECTION 1. *Be it enacted, &c.*, That the said Randall Bishop, or his executors or administrators, be and are hereby authorized and empowered to make distribution of the funds in his hands, arising as aforesaid, to and among the heirs and legal representatives of the said Esther Davis, deceased, in accordance with the provisions of the intestate laws of this commonwealth.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 833.

An Act

To authorize the guardians of the minor children of Elizabeth M. Tarr, deceased, to lease ground and expend money in operating for oil.

WHEREAS, Elizabeth M. Tarr died on the twelfth day of August, Anno Domini one thousand eight hundred and seventy-two, seized in fee of one undivided third of one hundred and seventy-five acres of land, in Cornplanter township, Venango county, and state of Pennsylvania, which for ten years has been and still is only valuable as oil territory ; therefore,

SECTION 1. *Be it enacted, &c.*, That William Davis, Jr., guardian of Nancy Tarr and Sarah Tarr, and David V. Derickson, guardian of John Tarr and James Tarr, minor children and heirs-at-law of Elizabeth M. Tarr, deceased, be and they are hereby empowered, under the direction of the or-

phans' court of the county of Crawford or Venango, to expend such sum or sums of money out of the income of said minors arising from the sale of oil, in putting down oil wells and operating for oil on said lands of said minors, as the said court may direct; that the orphans' court of the said county of Crawford or Venango shall have power, upon the application of said guardians, or either of them, to authorize and empower them or either of them, to expend such sum or sums of money of their respective wards arising from the production and sale of oil, in boring for oil and keeping up the production of oil out of the lands aforesaid, as the said court on the hearing of said application may adjudge to be necessary and proper, in managing and properly taking care of the estate of the said minors, on proof being made that such expenditure would be to the interest of said minors, and provided that not more than fifty per cent. of the income hereinafter derived from the sale of oil of said minors shall be expended: *Provided however*, That this act shall not be construed as empowering said guardians to make and execute any liens or to expend any money without the leave of said court first had and obtained.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 834.

An Act

To authorize the authorities of the borough of Thompsontown, county of Juniata, to levy and collect an additional tax for borough purposes.

SECTION 1. *Be it enacted, &c.*, That the authorities of the borough of Thompsontown, county of Juniata, are hereby authorized and empowered to levy and collect, annually, for borough purposes, a tax not exceeding five mills on the dollar, in addition to the rate now allowed by law, on the valuation assessed for county purposes, and all property, offices, professions and persons made taxable, by the laws of this commonwealth, for county rates and levies, shall be taxable after the same manner for borough purposes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 835.

An Act

Relating to the guttering of streets, collecting the cost thereof, and the filing of liens in the borough of Manheim.

WHEREAS, The burgess and town council of the borough of Manheim, in the county of Lancaster, have entered into a contract for macadamizing and guttering the streets of said borough:

AND WHEREAS, It is necessary, in order to have the gutters uniform and of regular grade, that the said burgess and town council should have entire control over the making of said gutters; therefore,

SECTION 1. *Be it enacted, &c.*, That the burgess and town council of the borough of Manheim, in the county of Lancaster, are hereby authorized and empowered to have all gutters in the streets of said borough made, at a cost not exceeding eighty five cents per lineal yard, and to collect such cost pro rata from the owners of real estate in front of whose property the guttering is done, as claims are by law recoverable under the provisions of the law relating to mechanics' liens; *Provided*, That the second section of the act relating to boroughs, approved the third day of April, one thousand eight hundred and fifty-one, shall not be so construed, so far as relates to the borough of Manheim, as to prevent the recovery by said borough from lot owners of the costs of side-walks, curb-stones and gutters mentioned in the fifth and sixth articles of said section, where a claim of lien shall not be properly filed within the thirty days therein mentioned; but the said borough may at any time, within one year after such side-walk and gutter, or either, has been done, proceed to file its lien, as provided in the said section, or at the option of said borough, commence an action for the recovery thereof within six years.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 836.

A Supplement

To an act to authorize the erection of a poor house by the township of Wilkes Barre, in the county of Luzerne.

WHEREAS, The act incorporating Wilkes Barre borough Preamble. into a city, includes nearly all of the township of Wilkes Barre within the city limits, and the said city is entitled to

but one director of the poor to represent the said city in the Central poor district of Luzerne county, and that it would be burdensome for one director to perform all the duties of poor director; therefore,

Court may appoint two directors for Wilkes Barre city.

SECTION 1. *Be it enacted, &c.*, That the judges of the court of quarter sessions of Luzerne county, may appoint two resident tax-payers in the said city of Wilkes Barre as directors of the poor, and the two directors appointed for Wilkes Barre city, shall also perform all the duties of poor directors for Wilkes Barre township.

To appoint director where borough has been or is created from district.

SECTION 2. Where a borough has been incorporated, or may hereafter be incorporated out of a part of any township being a part of the said Central poor district, the judges of the court of quarter session of said Luzerne county, shall appoint one suitable tax-payer as a director of the poor, who may reside either in the borough so incorporated, or in the township which the said borough was formerly a part, and the director so appointed shall perform all the duties of director of the poor for the said township and the said borough.

Aldermen and justices may execute removal orders.

SECTION 3. From and after the passage of this act, aldermen and justices of the peace residing and paying taxes in the said Central poor district, shall have full power and authority to issue and execute removal orders, and all removal orders signed and executed by any alderman or justice of the peace residing in the said Central poor district, for the purpose of removing a pauper or paupers from the said Central poor district to any other township or poor district, shall not be quashed or annulled by reason of the alderman or justice of the peace executing such removal order being a resident tax-payer or interested in the said Central poor district.

Repeal.

SECTION 4. All acts inconsistent herewith are hereby repealed so far as affect this act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTMANFT.

No. 837.

An Act

Authorizing the clerk of the court of quarter sessions of the peace of Northumberland county, to issue a wholesale and retail liquor license to Joseph Van Kirk and J. H. Jenkins, partners, trading under the firm name of Joseph Van Kirk and company, in Northumberland borough, Northumberland county, Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That the clerk of the court of quarter sessions of Northumberland county is hereby authorized to issue to Joseph Van Kirk and J. H. Jenkins, of Northumberland, Pennsylvania, partners, trading under the

firm name of Joseph Van Kirk and company, a license to sell liquors at wholesale and retail in the borough of Northumberland, and upon their payment of the regular license fee to the treasurer of the said county, the same as if the said license had been granted in open court in said county, the said Van Kirk and Jenkins having heretofore been regularly so licensed by the court, and the court not having power to entertain the petition, by reason of neglect to advertise for the time required by law.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 838.

A Supplement

To an act incorporating the city of Monongahela City, in the county of Washington.

SECTION 1. *Be it enacted, &c.*, That the mayor and city council of the said city shall have power and are required to open, macadamize and stone any street or parts of streets therein, and to make sufficient water tables or drains at either side, and before placing stone thereon, shall excavate the ground or gravel from the base or bottom of the street, so that when the stone is put on the centre the street shall not be elevated above the curb on either side; the thickness of the stone put on Main street shall not be less than twelve inches, but on all other streets at the discretion of the council.

Mayor and council to have certain improvements made.

SECTION 2. When the said mayor and city council shall have made such improvements and ascertained the cost thereof, they shall levy the same on the owners of the property fronting or siding on said street or streets pro rata per foot so fronting, abutting or siding; and if said assessment so levied be not paid in thirty days after demand, the said assessment shall be entered on the docket by the prothonotary of said county, and become a lien against said property, and may be collected as other debts are now by law collected, with costs and eight per centum added for attorneys' commissions: *Provided*, That the measurement of the work shall extend to the middle of the cross streets or alleys, where there are such, and the whole cost divided as heretofore: *Provided*, Upon the property abutting on that square or block the grading of all the streets, construction of all public sewers, drains, culverts, crossings and all paving or improving of alleys shall be done at public expense, and when so constructed, and the streets and water tables shall be made and paid for as provided in the first section of this act; the whole thereafter shall be kept in good order and repair at the public expense: *Provided*,

To assess cost on property owners.

How collection enforced.

Measurement of work and division of cost.

How grading, &c. to be paid for.

That the pavements or foot-ways shall be made and kept in repair by the property owners.

Commissioners appointed to ascertain cost of certain work.

Amount to be assessed on property owners, and collection enforced.

SECTION 3. That John A. Hopper, Joseph Warne and Aaron Brawdy be and they are hereby appointed commissioners to view, ascertain and appraise the cost or value of the work which has been done in stoning any street or laying water tables in said city at public expense; and when said amount is ascertained, the mayor and city council shall levy the same on the owners of the real estate facing or running up to said improvement, and in default of payment of said levy or assessment, thirty days after demand, the said amount shall be entered of record and collected as provided in section two for any new work.

Repeal.

SECTION 4. Any acts or parts of acts inconsistent herewith is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 839.

An Act

Relative to the pay of witnesses in the counties of Clinton and Centre.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act each and every person serving as a witness in the courts of Clinton and Centre counties shall receive one dollar and fifty cents per day for such service in addition to the mileage now allowed by law.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 840.

An Act

To merge and unite into one corporation, to be called the trustees of the Tabernacle Presbyterian Church of the city of Philadelphia, the two corporations called the trustees of the Sixth Presbyterian Church, in the city of Philadelphia, and the trustees of the Seventh Presbyterian Church, in the city of Philadelphia.

Preamble.

WHEREAS, The Presbytery of Philadelphia, in connection with the general assembly of the Presbyterian Church in the

United States of America, has, in accordance with the form of government of the said Presbyterian Church, united the the Sixth Presbyterian Church, in the city of Philadelphia, with the Seventh Presbyterian Church, in the city of Philadelphia, under the name of the Tabernacle Presbyterian Church, at the request of the people composing the said churches, respectively, both of said churches being under the ecclesiastical care and control of the said Presbytery:

And whereas, Under the laws of this commonwealth, on the third day of August, one thousand eight hundred and fourteen, there was created a corporation called the trustees of the Sixth Presbyterian Church, in the city of Philadelphia, whose charter is duly enrolled in the office of the secretary of this commonwealth, in book number one, page four hundred and seventy-five, for the purpose of holding and managing the property and temporal affairs of the said Sixth Presbyterian Church; and a similar corporation, for the like purposes, for the said Seventh Presbyterian Church, under the laws of this commonwealth, was created on the eighteenth day of March, eighteen hundred and twenty, called the trustees of the Seventh Presbyterian church, in the city of Philadelphia, whose charter is duly enrolled in the office of the secretary of this commonwealth, in charter book number three, page one hundred and ninety-six:

And whereas, It has been agreed between the said churches that there shall be a union and consolidation of the said two corporations into one, in order that there may be but one corporation holding and managing the property and temporal affairs of the said united church.

SECTION 1. *Be it enacted, &c.*, That the said, the trustees of the Sixth Presbyterian church, in the city of Philadelphia, and the said, the trustees of the Seventh Presbyterian church, in the city of Philadelphia, be and the same are hereby merged and united into one corporation, to be known as the trustees of the Tabernacle Presbyterian church in the city of Philadelphia, with all the powers, immunities and privileges, and subject to all articles and conditions contained in the charter of incorporation of the said, the trustees of the Seventh Presbyterian church, in the city of Philadelphia, as the same is enrolled in the office of the secretary of this commonwealth in charter book number three, page one hundred and ninety-six.

United into one corporation.

Name.

Powers, privileges, &c.

SECTION 2. That the said, the trustees of the Tabernacle Presbyterian church, in the city of Philadelphia, shall have, hold and enjoy all the property, estates and rights now belonging to or vested in both of the said corporations hereby united and merged, and it is hereby declared to be the true and legal successor of each of the same; and each of the said corporations is hereby authorized and empowered to grant, assign, transfer, convey and deliver, in fee simple, and absolutely all the said property, estates and rights, real and personal and mixed, of every kind and description, now held or enjoyed by them, and which may hereafter be received, held and enjoyed by them respectively, to the said, the trustees of the Tabernacle Presbyterian church, in the city of Philadel-

Further privileges.

Each of the two corporations may convey property to

Proviso.

phia: *Provided however*, And it hereby expressly declared, that the said corporation last named, shall receive and hold the said property and estates, and the proceeds of any sale thereof upon the same trusts, and for the same uses and purposes only as the same are or otherwise would be held by the said two corporations of which it is the legal successors.

Trustees appointed.

SECTION 3. That C. W. Hunkel, P. B. O'Neill, John T. Brown, William C. Bradley, Robert P. Harris, William Barnett, Samuel W. Reeves, James R. Webb, Strickland Kneass, Charles F. Ruff, William D. Frishmuth and Oliver Braden, shall be the trustees of the said united corporation, the said, the trustees of the Tabernacle Presbyterian church in the city of Philadelphia; the office of the first six of whom shall expire at the first annual meeting, and that of the last six at the second annual meeting of the corporators.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 841.

An Act

Authorizing the school directors of Lower Saint Clair township, in the county of Allegheny, to levy and collect a tax for the payment of expenses of investigating the bounty accounts of said township.

SECTION 1. *Be it enacted, &c.*, That the school directors of the township of Lower Saint Clair, in the county of Allegheny, be and they are hereby authorized and empowered to levy, assess and collect in said township, a tax sufficient for the purpose of defraying the costs and expenses incurred, as well by citizens of said township as by the school board thereof, in the legal proceedings had for the settlement of the bounty affairs of said township, or for the judicial ascertainment of the powers and duties of the school board in relation to said bounty accounts.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 842.

An Act

Requiring the aldermen and the justices of the peace of the county of Lancaster to return to the clerk of the court of quarter sessions all the recognizances entered into before them at least twenty days before the commencement of the session to which they are made returnable.

SECTION 1. *Be it enacted, &c.*, That the aldermen and the justices of the peace of the county of Lancaster shall be required to return to the clerk of the court of quarter sessions of the peace of the county of Lancaster, all the recognizances entered into before them by any person or persons charged with commission of any crime, excepting such cases as may be ended before an alderman or a justice of the peace under existing laws, at least twenty days before the commencement of the session of the court to which they are made returnable respectively; and in all cases where any recognizances are entered into less than twenty days before the commencement of the session to which they are made returnable, the said aldermen and justices are required to return the same in the same manner as if this act had not been passed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 842.

An Act

Relative to the management and control of the Blair county jail.

WHEREAS, The commissioners of Blair county have, at a large expense, lately erected a new county jail, the management and control of which is now in the hands of the sheriff of said county: Preamble.

And whereas, It is the desire of the said sheriff and commissioners, that the management and control of said jail be vested in the said commissioners, and a keeper to be by them appointed; therefore,

SECTION 1. *Be it enacted, &c.*, That from and after the fourth Monday of October, one thousand eight hundred and seventy-three, the management and control of the said Blair county jail, now vested in the sheriff of said county, be and the same is hereby transferred to the commissioners of said

Management to be vested in county commissioners and a keeper.

county, and a keeper to be by them appointed, subject to the approval of the court of quarter sessions of said county.

When and how
keeper to be ap-
pointed.

SECTION 2. That on the fourth Monday of October, one thousand eight hundred and seventy-three, and annually thereafter, the commissioners of Blair county, with the approbation of the court of quarter sessions of said county, shall appoint some competent person to be keeper of said jail for and during the term of one year, who shall reside therein, and receive, take charge, and have the care of all prisoners committed to the said jail.

Commissioners
may make rules,
and fix compensa-
tion of keeper.

SECTION 3. That the said commissioners be and they are hereby authorized to make such rules and regulations for the government of said jail, not contrary to law, and allow such salary or compensation to the keeper as in their judgment shall seem just and proper; and said keeper shall be subject to removal for the same causes that now exist, and in the same manner as now provided by law.

Removal of
keeper.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 844.

A Supplement

To an act authorizing the school district of the borough of South Pittsburg, in the county of Allegheny, to borrow money and provide for the payment thereof, and to sell real estate, et cetera, approved the twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

Preamble.

WHEREAS, The sum of thirty thousand dollars, which the school district of the borough of South Pittsburg, in the county of Allegheny, was authorized to borrow for the purchase of real estate, and for the erection of school buildings, as provided in the act to which this is a supplement, has proved inadequate and insufficient for that purpose:

And whereas, The said borough now constitutes the Thirtieth ward of the city of Pittsburg:

And whereas, The said school buildings are now in course of erection, and the said school district is without the means of completing the same; therefore,

May borrow addi-
tional money.

SECTION 1. *Be it enacted, &c.*, That the school district of the Thirtieth ward of the city of Pittsburg, late borough of South Pittsburg, be and the same is hereby authorized to borrow upon the faith and credit of the said district, under the general law, and the provisions hereof, an additional sum of twenty-five thousand dollars, at a rate of interest not exceeding eight per centum per annum, and to issue bonds therefor, in the same manner as in the said act provided, and

Issue bonds.

the said bonds shall be exempt from all taxation except for state purposes. Exempt from local taxation.

SECTION 2. The board of directors of said school district shall provide for the payment of the bonds so issued as aforesaid, in the same manner as provided in the second section of the act to which this is a supplement: *Provided however*, That the said bonds may run for a period not exceeding fifteen years, at the discretion of said board. Directors to provide for payment.
How long bonds may run.

SECTION 3. That before any bond shall be issued under the first section of this act, the said school district shall apply to the court having jurisdiction of the subject, under the general laws authorizing school districts to borrow money, and having obtained such authority to the extent of the powers vested in the said courts and exercised the same, then the right of the said school district to borrow the remainder of the said twenty-five thousand dollars under this act shall be of full force and may be at once exercised. Powers of court to be first exhausted.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 845.

A Supplement

To an act relative to public roads in South Union and Dunbar townships, in the county of Fayette, approved May eighteenth, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted &c.*, That it shall be lawful for the qualified electors of the township of Dunbar, in the county of Fayette, at their next township election, to elect three suitable persons, citizens of said township, to act as commissioners of public roads in said township, with all the powers conferred by the act to which this is a supplement, one of said commissioners to serve for one year, one for two years and one for three years, and that annually after the first election under this act, one commissioner shall be elected in said township of Dunbar, to serve for three years. Three commissioners may be elected in Dunbar township.

SECTION 2. That it shall be lawful for said commissioners to levy and collect a tax of not more than two-thirds of one per cent. annually in said township, upon the adjusted valuation of taxable property for county purposes, for the objects mentioned in the sixth section of the act to which this is a supplement. What tax may be levied for road purposes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 846.

An Act

To repeal an act to lay out and make a state road in Clearfield county, and to regulate the application of taxes on the lands therein named.

Certain provisions repealed.

SECTION 1. *Be it enacted, &c.*, That all of the provisions of the act of this general assembly, approved February fourteenth, one thousand eight hundred and sixty-three, entitled "An Act to lay out and make a state road in the county of Clearfield," which authorizes the appointment of commissioners to take charge of said road, and appropriates certain taxes on lands therein named, to the improvement of said road, and which give authority to said commissioners to assess taxes on said lands, and collect the same, be and the same are hereby repealed, to take effect forthwith, and in the room and stead thereof, the lands named in the said act are in part erected into a new township; under the control and government of the court of quarter sessions of Clearfield county, as hereinafter provided; and all of the said lands not included in the said township, shall be and they are hereby restored to the jurisdiction and control of the municipal authorities to which they respectively belong, except that tracts numbers three thousand five hundred and eighty-eight, three thousand five hundred and ninety-five, three thousand six hundred and six, and three thousand five hundred and eighty-six, be and they are hereby annexed to Union township for all purposes.

Portion of lands named in act, erected into a new township.

Certain tracts annexed to Union township.

Portions of Pike and Huston townships constituted a district.

SECTION 2. That all of that part of the township of Pike and Huston, in the county of Clearfield, composed in part of the lands named in the act described in the first section of this act, beginning at the southeast corner of the township of Union, thence through tracts numbered four thousand two hundred and fifty-two, four thousand two hundred and fifty-one, and by the west lines of tracts numbers four thousand two hundred and fifty eight, and four thousand two hundred and fifty-seven, four thousand two hundred and fifty-six, and four thousand two hundred and fifty-four, north to the north-west corner of tract number four thousand two hundred and fifty-four; thence east by the north line of number four thousand two hundred and fifty-four, to west line of tract number five thousand six hundred and seventy; thence by said west line of number five thousand six hundred and seventy, north to the north-west corner of said tract number five thousand six hundred and seventy; thence by the north line of number five thousand six hundred and seventy, and four thousand two hundred and sixty-five, east to the line of Lawrence township; thence south to the south-east corner of tract number five thousand and seven hundred and eighty-three; thence west by the south lines of tracts numbers five thousand seven hundred and eighty-three, five thousand seven hundred and eighty-

four, four thousand two hundred and fifty-three, and four thousand two hundred and fifty-two, to the south-east corner of Union township, and place of beginning, shall be and is hereby separated from the said townships and constituted and created into municipal district, to be called Pine, which, when it shall have twenty qualified resident electors therein, may be, on their petition, or that of a majority of them, declared a township by the court of quarter sessions of Clearfield county without proceedings by view.

When same may be declared a township.

SECTION 3. That the said unseated district shall be and it is hereby annexed to and made part of the township of Lawrence for all purposes, until erected into a township, except as hereafter provided.

District annexed to Lawrence township.

SECTION 4. There shall be annually appointed by the court of quarter sessions of Clearfield county, three commissioners to take charge of the roads within the said district, who shall have all the power and be subject to all of the liabilities imposed upon and possessed by supervisors of highways in the assessment and collection of road taxes on the lands and property in said district, and in the repair of all roads now in existence therein; and the said commissioners shall have power to assess school taxes on all property in said district, not exceeding the rates now allowed by law, and may collect the same by return thereof as unseated taxes to the commissioners of said county, and by their warrant; and the said taxes shall be by them paid into the treasury of the county of Clearfield, to the credit of the said unseated district of Pine.

Court to appoint commissioners to take charge of roads.

Their powers, &c.

SECTION 5. The said commissioners shall be appointed annually, at the January term of court of said county, and for the remainder of this year the said court may appoint them at the June term; and the said court shall fix the amount of surety and approve the security, and shall have control of and general authority to compel obedience to their duties by any process of said courts; and the county auditors of said county shall annually settle the accounts of said commissioners at the regular county settlement.

When to be appointed.

Court to fix amount of surety, &c.

County auditors to settle accounts.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 847.

An Act

To provide for the erection of a poor house in the township of Piney, in the county of Clarion.

SECTION 1. *Be it enacted, &c.,* That Hitchman Torrance, Wm. A. Magee and D. E. Lyon, of the township of Piney, county of Clarion, and their successors in office, as commis-

Incorporation.

Title.

Privileges.

Powers and duties
of commissioners
named in first sec-
tion.

sioners of the poor in said township, are hereby created and constituted a body corporate, by the name, style and title of the asylum for the poor, in the township of Piney, county of Clarion, and by that name shall have perpetual succession, with all the legal incidents of a body politic and corporate in law, and may sue and be sued, and use a common seal and alter and change the same at pleasure, make all by-laws and regulations that shall be necessary and convenient for managing the affairs thereof, not inconsistent with the constitution or laws of the United States, nor of this commonwealth.

SECTION 2. That the said commissioners above named or their successors in office, duly elected or appointed and qualified, in accordance with the provisions hereinafter contained, or a majority of them, as soon after the passage of this act as practicable, to determine upon, purchase such real estate within the bounds of said township aforesaid as may be proper and necessary for the support of the poor for the township aforesaid; and it shall be lawful for said commissioners to take and receive proper conveyances in the name of the corporation mentioned in the third section of this act, and upon receipt of said conveyance to execute in the name of said corporation, and deliver to the vendee or vendees, bonds or mortgages upon such real estate, to secure the payment of so much of the purchase money as shall remain then unpaid, and also to erect thereon, suitable buildings for the accommodation and keeping of the poor of said township; and they are also authorized and empowered to borrow such sum or sums of money as may, in their opinion, be advisable and necessary, not exceeding the sum of five thousand dollars, to be used in the payment of the expense of purchasing said real estate and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

Constituted direc-
tors until succe-
ssors are qualified.

SECTION 3. That the aforesaid commissioners be and are hereby constituted directors of the poor in the township aforesaid, until successors are elected and qualified as hereinafter provided, and they and their successors in office, are hereby created a body politic and corporate in law, and as such may receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of five thousand dollars, to erect and keep in proper condition, suitable buildings for the reception, use, accommodation and employment of the poor of said township, and to provide all things necessary for the lodging, education, maintenance and employment of the poor of said township.

Election of direc-
tors.

SECTION 4. That the said Hitchman Torrance, William A. Magee and D. E. Lyon shall continue in office as directors until the annual township election in the year one thousand eight hundred and seventy-five, at which time the qualified electors of said township, in connection with any other township or borough that may become associated therewith, under the provisions of the thirteenth section of this act, shall elect three persons to serve as directors of the poor of said township or townships, one to serve three years, one to serve two years, one to serve one year, and annually thereafter for the term of three years; and the judges of election, clerks and

inspectors shall make return and certificate of election as in case of township officers; and any vacancy occurring by resignation or otherwise, shall be filled by the board until the next annual township election.

Vacancies.

SECTION 5. The said directors shall, before entering upon the duties of their office, be duly sworn or affirmed to faithfully discharge the duties of their office; and the person or persons so elected annually, shall take his or their place in the board as directors of the poor within twenty days after he has been notified of his election, and shall be sworn or affirmed as aforesaid; and the persons herein appointed commissioners shall, as soon as they think proper after the passage of this act, appoint a treasurer, superintendent, collector of taxes for poor purposes, and such other assistants as they may deem necessary, who shall serve for one year and until successors are appointed and qualified, unless sooner removed by said board of directors; and on the first Monday in January in each year thereafter, the persons who shall at such times be directors, or a quorum of them, shall appoint a treasurer, a collector of poor taxes, a steward or manager of such poor house, a physician, and such other assistants as they may deem necessary, to serve for one year and until their successors are appointed and qualified, unless sooner removed by said directors; and the collector and treasurer so appointed shall give bonds to said corporation with sufficient security, to be approved by said directors, or a quorum of them, in such sum as said directors may require, conditioned for the faithful performance of their duties, and at the expiration of their term or removal from office, for the payment and delivery over to their successors in office of all moneys, bonds, notes, book accounts, papers, books and documents to the said corporation belonging, which shall be then remaining in their hands; and any of said officers or assistants so as aforesaid appointed, may be removed by said directors whenever they may see fit, and the vacancies occasioned by such removal, death or resignation of any such officers or assistants, shall be filled by said directors; and said directors are hereby empowered to bind out, as apprentices, such poor children as may now be bound apprentices by the overseers of the poor: *Provided*, That such apprenticeship shall expire at or before the age of eighteen years: *And provided further*, That no child shall be bound at a greater distance from the poor house than twenty miles, or the limits of said county; and every child bound as aforesaid, shall have not less than three months schooling in each and every year; and the said directors shall exercise and enjoy all other powers now vested in the overseers of the poor as are not herein granted or supplied.

To be sworn.

Treasurer, superintendent, collector, &c.

Vacancies.

Directors may apprentice poor children.

SECTION 6. That the said directors shall annually, and before the first day of April in each year, make an estimate of the probable expense of supporting and maintaining the poor of said township or townships for the ensuing year, and also an estimate of the probable cost of improving said farm, keeping said buildings in repair, and of insuring the property belonging to said corporation for the ensuing year, and shall annually, before the first day of April in each year, lay a rate

Tax for poor purposes.

sufficiently large to raise the sum required for support and maintenance of said poor, for the improving of said farm, repair of said buildings, insurance of said property, and for purchase money of said real estate for such ensuing year, the rate not to exceed ten mills on the dollar at any one time, on all real and personal estate, property or things in said township, now subject to taxation for state and county purposes, and shall be laid upon the basis of the then last adjusted valuation, and having a fair duplicate of such rate by them laid to be made, which shall be signed by them, or a quorum of them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive and collect from every person therein named, the sum wherewith such person stands charged, in the same manner and by the same process as poor taxes are now by law collectible: *Provided*, That the tax hereby authorized to be laid, levied and collected, shall not in any one year exceed in amount the one fifth part of the sum expended or indebtedness incurred in purchasing said real estate or farm and erecting said buildings, or preparing buildings for the accommodation of said poor, stocking said farm and furnishing said building with all things necessary, as aforesaid.

Work to be performed by inmates.

SECTION 7. That said directors are hereby authorized to provide work and employment for such poor persons as may be able to perform such work or employment, and if any poor person, unless unable, by reason of age, infancy, disease or other disability, shall refuse to perform such reasonable labor or service as shall be allotted to or required of him or her by said directors, or by the steward or manager of such poor house, such person shall not be entitled to or receive any relief or assistance during the time such refusal shall be persisted in, and shall immediately, on such refusal, be discharged from said poor house.

Rules and regulations.

SECTION 8. That the said directors are hereby empowered to make and ordain such rules and regulations as they shall think proper and necessary for the direction, government and support of said poor house and the revenues thereunto belonging, and of all such persons as shall come under their cognizance.

Steward to have control of poor.

SECTION 9. The steward or manager of said poor house shall have the control and management of the poor persons residing in said poor house, subject to such regulations as shall be made by said directors, and shall superintend and direct the work and employment about which they may be engaged.

Directors to meet monthly.

SECTION 10. That a quorum of said directors are required to meet at the poor house at least once a month, and visit the grounds and buildings, and see that the poor are comfortably supported, and hear all complaints and redress all grievances, if any are found to exist.

Compensation of treasurer, steward, directors, &c.

SECTION 11. That the compensation of treasurer, collector of taxes, steward, physician and other officers or assistants, shall be fixed by the directors, and the compensation of said directors shall be two dollars per day for each and every day necessarily employed in discharge of their duties: *Provided*,

That the compensation allowed to said directors shall in no one year exceed the sum of one hundred and fifty dollars.

SECTION 12. That it is hereby declared lawful for the overseers of the poor of any township or borough in Clarion county, not accepting the provisions of the thirteenth section of this act, if such overseers shall see fit to make agreements or contracts with said directors, if said overseers and directors can mutually agree for the keeping, maintaining or employment of the poor, of any them, of such townships or boroughs in said poor house, for such time and on such conditions, restrictions or stipulations as said parties may mutually agree; and after the making of any such contract or agreement by such overseers with said directors, said overseers are hereby empowered to remove such poor to said poor house, and if any such poor person shall refuse to go to said poor house, such overseers may refuse to render relief to such poor person during the time such refusal is persisted in.

Overseers of other districts may contract for support of poor.

SECTION 13. That it shall be lawful, at any time after the passage of this act, for the directors aforesaid, on petition of a majority of the tax-payers of any township or borough in Clarion county, to admit, if said directors deem it proper, such township or borough under the provisions of this act, on the footing as to the expenditures, liabilities and privileges, as the district named in this act.

Other districts may be admitted under act.

SECTION 14. That it shall be lawful for any township or borough in Clarion county, after a decision in the manner prescribed in the thirteenth section of this act, to accept the provisions of this act, to levy and collect in the same manner as poor taxes are now by law levied and collected, a sufficient amount to cover the proper share of such township or borough, of moneys already expended in payment for real estate and improvements thereon of said poor house, and pay the same over to the treasurer of said corporation, which payment shall entitle said township or borough to the same privileges and rights as the original district named in this act, and thereafter subject to the same liabilities: *Provided*, That the amount of money to be paid over shall be apportioned upon the basis of taxable property for poor purposes in said township or borough concerned at the last annual assessment.

Such districts may levy tax to pay their share of expenses.

SECTION 15. That the township auditors of Piney township shall, annually, when settling and adjusting the accounts of township officers of said township, audit and settle the accounts of the directors and other officers of the aforesaid poor house.

Township auditors to audit accounts

SECTION 16. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Repeal.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 848.

An Act

Authorizing the burgess and town council of the borough of Manheim to improve the Kauffman park and to make and enforce laws, ordinances, by-laws and regulations for the proper government thereof.

Preamble.

WHEREAS, Abraham Kauffman conveyed to the burgess and town council of the borough of Manheim, in Rapho township, a certain grove or park in Penn township, Lancaster county, for the public use of the citizens of the borough of Manheim :

And whereas, The said burgess and town council have not under existing laws the power and authority to improve the said Kauffman park, and to make and enforce the necessary laws, by-laws, ordinances and regulations to govern, protect and preserve the said park ; therefore,

Burgess and council may make improvements in park.

SECTION 1. *Be it enacted, &c.,* That the burgess and town council of the borough of Manheim, in the county of Lancaster, are hereby authorized and empowered to make such improvements in the Kauffman park, in Penn township, Lancaster county, as they may deem necessary, and to appropriate for the payment of such improvements any unappropriated moneys remaining at any time in the borough treasury, and to make and enforce such laws, by-laws, ordinances and regulations, not inconsistent with the laws of this commonwealth, as they may deem expedient for the government, protection and preservation of said park.

Make by-laws, &c.

Powers and duties of borough officers.

SECTION 2. That the powers and duties of the borough officers of the borough of Manheim, shall be the same in enforcing the laws, by-laws, ordinances and regulations made for the Kauffman park, as those vested in and required of them in the borough of Manheim, and the said officers shall be subject to such fines and penalties, for refusing to perform said duties, as the corporate authorities of the borough of Manheim shall impose.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 849.

An Act

To extend to Robert L. Fetrow, son of Ellis L. Fetrow, the benefit of the laws providing for the education and maintenance of soldiers' orphans.

WHEREAS, Ellis L. Fetrow, who was a citizen and resident of the state of Pennsylvania during his entire life, and who enlisted in the service of the United States during the war of the rebellion from the state of Pennsylvania, and died of disease contracted in the said service, left surviving him three children, the youngest of which, Robert L. Fetrow, being born on the twenty-eight day of September, one thousand eight hundred and sixty-six, is debarred the benefits of the laws relative to soldiers' orphans by reason of the provisions of the act of May twenty-seventh, Anno Domini one thousand eight hundred and seventy-one.

And whereas, The widow of said Ellis L. Fetrow is in destitute circumstances, and is unable to educate and maintain her children; therefore,

SECTION 1. *Be it enacted, &c.*, That the said Robert L. Fetrow be and he is hereby admitted to all the benefits and privileges of the laws of the state of Pennsylvania relative to the education of soldiers' orphans.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT

No. 850.

An Act

To authorize the school directors of the Smethport school district to borrow money.

SECTION 1. *Be it enacted, &c.*, That the board of school directors of the Smethport school district, in the county of M'Kean, be and they are hereby authorized and empowered to borrow any amount of money not exceeding six thousand dollars, for a term of not exceeding ten years, and to issue bonds for the same, in sums not less than one hundred dollars each, with or without coupons, bearing interest at a rate not exceeding eight per centum per annum, said bonds to be executed by the president, and countersigned by the secretary of the board, and shall be exempt from taxation under the

Authorized to borrow money

Issue bonds.

Exempt from local
taxation.
How loans to be
applied.

May levy annual
tax.

Powers of court to
be first exhausted.

laws of this commonwealth except for state purposes: *Provided*, That all loans so made shall be exclusively applied to the building and furnishing of a graded school house for the use of said district.

SECTION 2. That for the purpose of paying the interest on said bonds and redeeming the same at maturity, the said board of school directors are empowered to levy an annual tax, to be levied and collected in the same manner as school taxes are now levied and collected in said district, and to be exclusive of any tax now authorized by law; said tax to cease upon the payment of said bond: *Provided*, That before exercising the privileges granted by this act, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 851.

An Act

To enable the school directors of the Second ward, in the city of Allegheny, to borrow money.

SECTION 1. *Be it enacted, &c.*, That the board of school directors of the Second ward of the city of Allegheny, of the county of Allegheny, be and they are hereby authorized and empowered to borrow an amount of money not exceeding sixty thousand dollars, for a term of years not exceeding twenty years, and to issue bonds or certificates of indebtedness for the same in sums not less than one hundred dollars each, bearing interest at a rate not exceeding eight per centum per annum, said bonds or certificates to be executed by the president and countersigned by the secretary of the board, and shall be exempt from taxation except for state purposes, under the laws of this commonwealth: *Provided*, That all loans so made shall be applied exclusively to the purchase of grounds and the erection of suitable buildings thereon for the use of the public schools of the said district: *And provided further*, That before exercising the privileges granted by this act, the said school directors shall first exhaust the power of the court of common pleas as to the borrowing of money.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 852.

An Act

To repeal the fifth section of an act, entitled "An Act to encourage, more effectually, the destruction of wolves and panthers in the counties of Luzerne, Susquehanna, Wayne, Pike, Jefferson, M'Kean, Tioga, Potter, Bradford and Monroe, and for other purposes," approved the twentieth day of March, Anno Domini one thousand eight hundred and forty.

SECTION 1. *Be it enacted, &c.*, That the fifth section of an act, entitled "An Act to encourage, more effectually, the destruction of wolves and panthers, in the counties of Luzerne, Susquehanna, Wayne, Pike, Jefferson, M'Kean, Tioga, Potter, Bradford and Monroe, and for other purposes," approved the twentieth day of March, Anno Domini one thousand eight hundred and forty, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 853.

An Act

Authorizing the road commissioners of Spring Creek township, Warren county, to borrow money and collect taxes to erect bridges in said township.

SECTION 1. *Be it enacted, &c.*, That the road commissioners of Spring Creek township, Warren county, be and they are hereby authorized to borrow money not exceeding five thousand dollars, at such rate of interest as they shall deem expedient, for the purpose of erecting a bridge or bridges in said township, at such points and in such manner as to them may seem best for the citizens of said township.

Authorized to borrow money.

SECTION 2. That they are hereby authorized to levy and collect such tax as may be necessary to pay the same within six years, in the same manner as other taxes for township purposes are now by law levied and collected.

Levy tax.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 854.

An Act

To repeal an act, entitled "An Act relative to change of method of working and improving roads in Harford township, Susquehanna county," approved April third, one thousand eight hundred and seventy-two, and validating certain taxes levied in year one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the law, entitled "An Act relative to change of method of working and improving roads in Harford township, Susquehanna county," approved the third day of April, Anno Domini one thousand eight hundred and seventy-two, be and is hereby repealed: *Provided*, That the tax of ten mills on dollar of valuation, as levied in the year one thousand eight hundred and seventy-two, is hereby legalized and validated, and the unpaid balance of said tax, if any remain uncollected, may be collected the same as if this act were not passed: *And provided further*, That said township of Harford shall not, by this act, be released from liability upon or damages for breach of contract, legally entered into by said road commissioners, prior to the passage of this act.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 855.

An Act

Extending the provisions of an act relative to public roads in Luzerne township, Fayette county, approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-nine, to the townships of Salt Lick and Connellsville, in said county of Fayette.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act relative to public roads in Luzerne township, Fayette county," approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to the townships of Salt Lick and Connellsville, in said county of Fayette.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 856.

An Act

To authorize the guardians of the poor of the cities of Pittsburg and Allegheny to bind as apprentices to the Protestant Orphan Asylum of Pittsburg and Allegheny and the Catholic Asylum of Pittsburg, children in the custody of said asylum, who have been abandoned by their parents.

SECTION 1. *Be it enacted, &c.*, That the guardians of the poor, in and for the respective cities of Pittsburg and Allegheny, are hereby empowered and authorized to bind as apprentices to the Protestant Orphan Asylum of Pittsburg and Allegheny, and the Catholic Orphan Asylum of Pittsburg, children who have remained in the custody of the said asylum for a period of not less than one year, and who have been abandoned for that period by their parents, without requiring further proof that the parents of said children are unable to maintain them.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 857.

An Act

To authorize the burgess and town council of the borough of Marion, Indiana county, to levy and collect an additional tax for borough purposes.

SECTION 1. *Be it enacted &c.*, That for three years after the passage of this act it shall be lawful for the burgess and town council of the borough of Marion, Indiana county, to levy on and collect annually from the property in said borough, subject to taxation for borough purposes, a tax not exceeding one per cent. for borough purposes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 858.

An Act

To extend the provisions of an act regulating the election and terms of office of burgess and town council of the boroughs of Brookville and Indiana, to Blairsville, Indiana county.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act regulating the election of burgess and town council of the boroughs of Brookville and Indiana, fixing their terms of office and increasing their powers, approved the twelfth day of March, one thousand eight hundred and sixty-nine, be and the same are hereby extended to the borough of Blairsville, Indiana county, and the statements to be published as mentioned in the fourth section of said act, shall be published in at least two newspapers printed in the county of Indiana, annually hereafter, beginning on the third week in May, one thousand eight hundred and seventy-four.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 859.

Supplement

To an act incorporating the South-western Normal School.

SECTION 3. *Be it enacted, &c.*, That the board of trustees of the South-western Normal College be empowered to borrow the money authorized by the charter, at a rate of interest not exceeding eight per centum per annum, and to issue bonds therefor with or without coupons, which shall be exempt from all taxation except for state purposes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 860.

An Act

To authorize the school directors of Conemaugh township, Indiana county, to issue a new warrant to collect certain unpaid bounty tax in said township.

WHEREAS, There was a duplicate made out by the school directors of Conemaugh township, Indiana county, in the year one thousand eight hundred and sixty-seven, for bounty tax in said township, and placed in the hands of William L. Ewing, as collector :

And whereas, A large amount of the tax in said duplicate has not been collected, which, if collected, would be about sufficient to discharge the indebtedness for bounty purposes in said township; therefore,

SECTION 1. *Be it enacted, &c.,* That the school directors of Conemaugh township, Indiana county, be and are hereby authorized to make out and issue a new duplicate for so much of the tax levied for bounty purposes in said township, for the year one thousand eight hundred and sixty-seven, as is now outstanding and uncollected on the duplicate given by them to Wm. L. Ewing, who was collector of said tax, and to appoint a proper person to collect such outstanding taxes, with all the powers and authority to collect the same the said Wm. L. Ewing had when he was originally appointed, and when the said outstanding tax is collected, it shall be applied by the said directors to pay off the existing indebtedness of said township for bounty purposes.

SECTION 2. That for the purpose of assisting the said school directors in making out the new duplicate provided for by the first section of this act, the said Wm. L. Ewing shall surrender to the said directors the old duplicate now in his possession, and on failure to do so the said directors are hereby authorized to institute and maintain such legal proceedings as may be necessary to secure possession thereof; and any persons having paid to the said Wm. L. Ewing, collector as aforesaid, any taxes charged against them on the said duplicate, shall be entitled to credit for such payment; and for the expenditure of the tax to be collected on the said new duplicate, the said school directors shall be subject to all existing laws relating to the settlement of accounts for the payment of taxes levied and collected for bounty purposes.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

Preamble.

Authorized to issue new duplicate.

Appoint collector.

How tax to be applied.

Old duplicate to be surrendered.

Persons that have paid, entitled to credit.

Settlement of accounts of directors.

No. 861.

An Act

In relation to bonds of indemnity given to the sheriff of the city and county of Philadelphia, in his official capacity, for executing writs.

SECTION 1. *Be it enacted, &c.*, That hereafter all bonds given to the sheriff of the city and county of Philadelphia, in his official capacity, as indemnity for executing writs of replevin, foreign, domestic and other attachments, and all other bonds of indemnity given in any cause, shall be justified before the judge of the proper court and approved by said judge, and when the prothonotary shall certify said justification and approval to the sheriff shall become the property of the successful party in the original suit, without recourse to the sheriff who may have executed said process or received said bond as indemnity.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 862.

A Supplement

To an act to incorporate the Pennsylvania Company, approved April seventh, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.*, That the Pennsylvania Company be and they are hereby authorized to create and issue bonds bearing, not exceeding seven per centum gold, interest, to an amount not exceeding the full paid capital stock of said company, as it may exist from time to time, and to secure the same by one or more mortgages upon the corporate rights and franchises, and all or any part of the real and personal or other property of said company, as may be described in said mortgage or mortgages: *Provided however*, That no bond or mortgage shall be created without being first submitted to a meeting of the stockholders, and approved by a majority of the capital stock.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 863.

An Act

To authorize the Philadelphia and Newtown and New York Railroad Company to bridge the Delaware river, with the assent of the state of New Jersey.

SECTION 1. *Be it enacted, &c.,* That the Philadelphia, Newtown and New York Railroad Company be and is hereby authorized and empowered with the concurrent legislation of the state of New Jersey, under general or special laws, to construct railroad bridges across the river Delaware, at any point at or above Yardleyville, in the county of Bucks, to connect its railroad line or lines with any railroad or railroads constructed or to be constructed to said Delaware river on the New Jersey side, and said bridge or bridges may also be constructed for railroad and other traveling purposes by separate passages, and such tolls collected by said company as are now allowed by law.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 864.

A Further Supplement

To the act to erect the town of Huntingdon, in the county of Huntingdon, into a borough, approved the twenty-ninth day of March, Anno Domini seventeen hundred and ninety-six, authorizing the said borough to borrow money, to levy and collect an additional tax, to create additional wards, et cetera.

SECTION 1. *Be it enacted, &c.,* That the burgesses and town council of said borough of Huntingdon be and they are hereby authorized for the purpose of paying a debt of the said borough, contracted for the purchase of a new steam fire engine, with the necessary apparatus belonging thereto, and to build suitable cisterns to supply the same with water, and to purchase ground and erect suitable buildings for a market house, to borrow upon the credit of said borough a sum or sums of money not exceeding twenty thousand dollars, and issue bonds therefor, free from taxation, except state tax, bearing interest at a rate not exceeding eight per centum per annum, payable semi-annually, said bonds to be redeemable at any time after five years: *Provided*, That not

Authorities may
borrow money and
issue bonds.

more than two thousand dollars shall become due in any one year: *And provided further*, That no bond shall be issued for a less amount than fifty dollars.

Levy additional tax.

SECTION 2. That the said burgesses and town council shall have power to collect annually, for the redemption of the bonds authorized by the first section of this act, a tax not exceeding three mills in addition to the present rate of tax levied, which said additional tax shall be applied to the payment of the said indebtedness and for no other purpose.

How adjacent property annexed to.

SECTION 3. That whenever five or more persons, being a majority of the freehold owners of lots, out-lots or other tracts of land in any section lying adjacent to the borough of Huntingdon, are desirous of having said section annexed thereto, they shall cause six or more handbills or posters to be set up in as many public places in said borough, and in the township or townships from which it is proposed to take such territory, setting forth their desire and the time of the stated meeting of the burgesses and town council of said borough at which their application will be presented, and at the meeting named on the presentation of a petition signed by a majority of said freehold owners, not less than five in number as aforesaid, after having given due hearing to such persons interested as may choose to attend, the said burgesses and town council may by ordinance declare the admission of the section owned by the petitioners and others, according to the boundaries prayed for, or according to such other boundaries as to them may seem proper, having due regard to the desire of the petitioners and to the preservation of symmetrical lines, and shall cause a copy of said ordinance to be made, signed by the chief burgess and attested by the corporate seal, together with a map or plot of the territory annexed, to be delivered to the clerk of the court of quarter sessions of the county of Huntingdon, and recorded and filed among the records in his office, and the said section shall forever thereafter be deemed, taken and allowed to be a part of said borough, and subject to the jurisdiction and government of the municipal authorities thereof, as fully as if the same had been originally a part of the same.

Divided into four wards.

First ward.

Second ward.

Third ward.

Fourth ward.

SECTION 4. That the said borough be and the same is hereby divided into four wards, as follows, to wit: All that territory lying north-eastward of a line beginning at the Juniata river and running thence in a direct line along the centre of Fourth street, the line of Oneida township, shall form the First ward; all that territory lying west of the First ward and east of the centre of Seventh street, shall form the Second ward; all that territory lying north and west of the Second ward, and south of a line beginning at said river, and running thence eastward in a direct line along the centre of Eleventh street to the line of Oneida township, shall form the Third ward; and all that territory lying north of the Third ward, shall form the Fourth ward.

Each ward a separate election district.

Places of holding elections.

SECTION 5. That each of said wards is hereby created a separate election district for all general, township and special elections; the elections for the First ward shall be held at the south-east window of the court house in said borough;

for the Second ward shall be held at the south-west window thereof; and for the Third ward, and those portions of the township of Walker and Porter, which are now attached to the East ward election district, at the council house, number five hundred and eight, Washington street, until a public school house, now in contemplation, shall be erected in said ward, and thereafter at said school house, and for the Fourth ward at the public school house near Cherry alley: *Provided however*, That nothing contained in this supplement shall be construed Proviso so as to alter the time, place or manner of holding elections for officers of the corporation, or to authorize the election of additional local officers other than judges and inspectors of elections.

SECTION 6. That the policemen of the said borough, in addition to the power now vested in them by law, shall at Powers of police-men. all times have the same power in all criminal matters in making arrests, serving warrants, subpoenas and commitments, as the constables of the county of Huntington now have or may hereafter have, and shall receive for their services the same fees as are now allowed said constables.

SECTION 7. That all fines recovered before any burgess or justice of the peace of said borough by authority of any law of the commonwealth, excepting such portion thereof as may Fines to be paid to borough treasurer. by law be payable to the informer, shall be paid to the treasurer of said borough for the use of the corporation.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 865.

A Supplement

To an act to repeal part of the third section of an act relating to the fees of road commissioners and auditors in the township of Elk Creek, in the county of Erie, approved March twenty-first, Anno Domini one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted, &c.*, That so much of the third section of an act, entitled "An Act relating to fees of certain officers in the county of Erie," approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five, as relates to the fees of road commissioners and auditors in the township of Elk Creek, in said county, be and the same is hereby repealed.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 866.

An Act

To incorporate the Neafie and Levy Steam Engine, Boiler and Ship-Building Company, and to authorize the executors of John P. Levy to subscribe to the stock of said company.

Corporators.

Name.

Purpose.

Capital stock.

Executors of John P. Levy, deceased, authorized to subscribe to stock.

Bonus and taxes.

SECTION 1. *Be it enacted, &c.*, That Jacob G. Neafie, Edward L. Levy, Charles Halyburton, and their associates, are created a corporation by the name and style of the Neafie and Levy Steam Engine, Boiler and Ship-Building Company, for the purpose of conducting the business of machinists, iron and wooden ship-builders. The capital stock shall be seven hundred and fifty thousand dollars, divided into shares of one hundred dollars each, with the privilege of increasing the same to one million dollars.

SECTION 2. The executors of the will of John P. Levy, deceased, are authorized, with the consent of all the parties interested under the said will, who are of full age, whether covert or sole, to subscribe to shares in the said corporation, paying for the same in real and personal property adapted to the business of the corporation, belonging to said estate; and the said shares shall be held upon the same trusts, and for the same uses, and under the same powers as the said property is now held.

SECTION 3. The corporation shall be held liable to pay the same bonus on the capital, and the same taxes as by law are payable by similar corporations.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No 867.

An Act

To annul the marriage contract between Carl Augustus Thiele and Mary Louise, his wife.

WHEREAS, Carl Augustus Thiele, of the city of Philadelphia, state of Pennsylvania, has presented his petition to the senate and house of representatives of the commonwealth of Pennsylvania, for a divorce from his wife, Mary Louise:

And whereas, The reasons set forth in said petition are sufficient to entitle him to said divorce, and the courts of this

commonwealth have not jurisdiction to decree divorces in such cases ; therefore,

SECTION 1. *Be it enacted, &c.*, That the marriage contract entered into between Carl Augustus Thiele, of the city of Philadelphia, Pennsylvania, and Mary Louise, his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties and obligations arising therefrom as fully as if they had never been joined in marriage.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 868.

An Act

To annul the marriage contract between Andrew J. Burbank and Esther A., his wife.

SECTION 1. *Be it enacted, &c.*, That the marriage contract between Andrew J. Burbank and Esther A. Burbank, his wife, be and the same is hereby declared null and void, and the said parties are hereby released, set free and discharged from said contract, and the duties and obligations thereunder as fully, effectually and absolutely as if said marriage contract had never been made.

APPROVED—The 12th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 869.

An Act

To incorporate the Exchange Savings Bank and Trust Company, to be located in Phoenixville, Chester county.

SECTION 1. *Be it enacted, &c.*, That Edwin L. Caswell, William E. Caveny, Herbert E. Pennypacker, M. C. Pennypacker, Thomas G. Martin, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and hereby are created a body corporate by the name, style and title of the Exchange Savings Bank and Trust Company, and by that name they shall be capable by law to hold

Titls.

Privileges.

and dispose of property, to sue and be sued by any court whatever, to make, have and use a common seal, to alter and renew the same at pleasure, to make and put in force such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this incorporation, to be located in the borough of Phoenixville, county of Chester: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same if the intent of the parties can be clearly ascertained.

Misnomer.

Purpose.

Business.

SECTION 2. That the purpose of this act is to incorporate a savings bank and loan and trust company; that the business of said corporation shall be to receive on deposit from all persons who shall offer the same, any sum or sums of money not less than one dollar, and to transact any other business transacted by banks in this commonwealth, to take and accept by grant, assignment, transfer, devise or bequest, and hold any real or personal estate or trusts created in accordance with the laws of the state, and execute such legal trusts in regard to the same on such terms as may be declared, established or agreed upon in reference thereto, to accept from and execute trusts for married women in respect to their separate property, whether real or personal, and act as agents for them in the management of such property, and to receive and become the depositor of all trusts and such other funds as may be paid into or be under the control of the several courts of this state and the laws of the same: *Provided*, That the law courts shall be satisfied with the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors, with interest at such rates as may be fixed annually by the directors, in lawful money, national bank notes or notes of banks incorporated in this state, at par, in sums not less than one dollar, when required during business: *Provided*, That deposits by married women and minors may be re-paid to them, and such re-payments made upon their orders, checks or receipts, shall discharge said corporation from any further claims for the same; and such deposits made by married women or minors, shall not at any time be subject to the claim or demand of, or payable to the husband of said married woman or the parent or guardian of such minors.

Payment of deposits.

Deposits by married women and minors.

Capital stock.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the person named in the first section and such others as may become associates with them as stockholders in the company incorporated, to raise and form a capital of fifty thousand dollars, to be divided into shares of fifty dollars each, and paid in as shall be required by the board of directors, but one-half thereof shall be fully paid in before the corporation shall commence business: *Provided*, That the capital stock shall be paid in within one year from the passage of this act; the directors of the said corporation shall increase the capital stock thereof from time to time as they may elect, to any amount not exceeding two hundred thousand dollars: *Provided*, That the stockholders

at the time of such increase, shall be entitled to a pro rata share of such increase upon the payment of the par value thereof, such right to be forfeited, however, if not availed of within ten days of the time fixed for the subscription thereof by public notice.

SECTION 4. That said bank may take, receive, reserve and charge on any loan or discount made, interest at such lawful rate as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more, and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

Interest on loans and discounts.

SECTION 5. That the directors shall prescribe the form of certificate to be issued to depositors, and the mode of making transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe: *Provided*: That the number of directors shall at no time exceed nine.

Directors to prescribe form of certificate to depositors, mode of electing directors, &c.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day within twelve months from the passage of this act as the majority of them shall appoint, for the purpose of receiving subscriptions to the capital stock of said corporation, and choosing from among their subscribers seven directors to manage the affairs of the said corporation; said directors shall choose from among their number a president and vice president, and may appoint and remove, at will, such other officers as they shall deem necessary; said directors, president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and exercise all of the rights, powers and privileges which are intended to be hereby given.

Meeting of corporators.

Purpose of meeting.

President and other officers.

SECTION 7. That it shall be lawful for said bank to purchase, hold and convey real estate as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments, decrees or mortgages held by such banks, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

What real estate may be held.

SECTION 8. That the directors at their first meeting in January of each year, shall regulate and fix the rate of interest to be paid on deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposits shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest be allowed for fractions of months.

Interest on deposits.

SECTION 9. On the first Tuesday in January and July of each year, the directors shall make and declare, out of the net

Dividends.

proceeds of the profits of the business of said corporation, a dividend of so much thereof as they may deem best, and pay the same over to the stockholders, or their legal representatives, within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend, from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposits after the assets of said corporation shall become depreciated in cash value below the whole amount of deposits with said corporation and the debts of the same, and fifty per centum of the capital paid in, they shall become and be, and so long as said depreciation continues, shall remain jointly and personally liable to the depositors with and creditors of said corporation, for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

Shares transfer-
able.

Votes.

Failure to pay in-
stalments.

Books to be open
to inspection.

Officers and agents
to give security.

Portions of by-
laws to be put up
in office.

May be appointed
trustee, guardian,
&c.

SECTION 10. The shares of said corporation shall be transferable on its books in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote in person or in proxy for each and every share of stock by such stockholder then owned; if any person or persons shall subscribe to the original or increased stock of said corporation, and shall omit to pay the installment for the same for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber and the stock by him or her subscribed for shall be forfeited to said corporation, and the said corporation may sell or dispose of said stock as they may deem most advantageous to said corporation; the books of said corporation shall be at all times during business hours open for inspection of such as the legislature shall appoint for such purpose.

SECTION 11. The officers and agents of said corporation, upon entering upon the discharge of their duties, shall give bonds in such amounts as the directors shall fix, for their fidelity and good conduct and for the safe-keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others, and the directors of said corporation may require and increase the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws of said corporation as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

SECTION 12. It shall be and may be lawful for any court of the commonwealth of Pennsylvania, and for any person or persons, or bodies politic or corporate, by deed, will or otherwise, to make constitute and appoint said corporation, with the consent of the same, a trustee, assignee, guardian of the estate of minor children, committee of lunatic or receiver, and to allow it like compensation for the execution of such trusts, as would by law be allowed to individuals, and such as may be agreed upon before accepting any such trusts from or on behalf of any such person or persons and bodies politic or corporate; and the said corporation is further empowered to accept such appointment and act as executor or adminis-

ator of the corporation, may accept with such necessary bond or security.

SECTION 13. The capital stock of said corporation shall be taken and considered as the security required by law for the faithful performance of its duties, as the executor, administrator, trustee or receiver, and shall be liable in case of default.

Capital stock security for performance of duties.

SECTION 14. This charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the stockholders: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth such bonus as are now or may hereafter be required by law.

Limitation.
Reservation.

Bonus and taxes.

SECTION 15. The stockholders of said bank shall be individually liable to double the amount of stock held by them.

Stockholders individually liable.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 870.

An Act

extending to the city of Allegheny the provisions of the act, approved the second day of April, Anno Domini one thousand eight hundred and seventy, entitled "An Act to provide for the improvement of Penn avenue and other avenues and streets in the city of Pittsburg," and the several supplements thereto, and granting powers to the councils of the city of Allegheny to improve streets or avenues, or parts thereof, under the provisions of said act, and supplements, with or without petition from the property owners, and to provide for the opening of Prebble street.

SECTION 1. *Be it enacted, &c.*, That the provisions of the act of assembly, approved the second day of April, Anno Domini one thousand eight hundred and seventy, entitled "An Act to provide for the improvement of Penn avenue and other avenues and streets in the city of Pittsburg," and the several supplements thereto, are hereby extended to the city of Allegheny.

Penn avenue, act extended to.

SECTION 2. That all the powers and duties conferred and imposed by said act, and its supplements, upon the councils, committees and officers of the city of Pittsburg, are hereby conferred and imposed upon the councils, committees and officers of the city of Allegheny, for the improvement of any avenue or streets or parts thereof, the improvement of which may be directed by the councils of the city of Allegheny, under the provisions of said act and its supplements: *Provided however*, That so much of said act and its supplements as requires the petition of a majority in interest of the owners

Powers and duties of council, committees and officers.

of property abutting on any street or avenue or portion thereof, before council shall direct the grading and paving of the same, under the provisions thereof, shall not apply to the city of Allegheny, but the councils of the said city may direct the grading and paving of any street or avenue, or portion thereof, under the provisions of said act and its supplements, with or without petition.

Opening, &c., of
Prebble street,
relative to.

SECTION 3. That the city of Allegheny, in case the councils should order the opening, grading or paving of Prebble street, in the said city, may in case of appeal, on filing bond in the court having jurisdiction over the appeal, in such sum as the court shall direct, proceed with the work the same as if no appeal had been entered.

APPROVED—The 15th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 871.

A Further Supplement

To an act to incorporate the National Fire and Marine Insurance Company of Philadelphia, approved the thirty-first day of August, one thousand eight hundred and sixty-nine.

Name changed.

SECTION 1. *Be it enacted, &c.*, That the corporation created by said act, be and the same shall be hereafter known as and called "The National Fire Insurance Company of Philadelphia."

Annual meeting of
stockholders.

SECTION 2. That the annual meeting of the stockholders, as provided for in section ten of said act, shall hereafter be held on the third Thursday of January of each year.

APPROVED—The 15th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 872.

An Act

To incorporate the Philadelphia and Merion Railroad Company.

Commissioners.

SECTION 1. *Be it enacted, &c.*, That George B. Roberts, A. J. Cassatt, R. D. Barclay, J. P. Green and Joseph Lesley, be and the same are hereby appointed commissioners to open

books, receive subscriptions and organize a company by the name, style and title of the Philadelphia and Merion Railroad Company, with authority to lay out and construct a railroad connecting with the Pennsylvania railroad at some point between Belmont avenue and City avenue, in the city of Philadelphia, and extending thence by the most eligible route to Conshohocken, in Montgomery county, Pennsylvania, with authority to extend said road and make branches to connect with any road or roads in Montgomery county, and to occupy not over thirty feet of any street not yet graded, and to have all the powers and privileges, and be subject to all the restrictions, terms and conditions which are authorized and imposed by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and not inconsistent with the provisions of this act.

Title.

Construction of railroad authorized.

Branches.

Powers, privileges, &c.

SECTION 2. That the capital stock of the said company shall be one hundred thousand dollars in shares of fifty dollars each, with power of the company to increase the same from time to time, to an amount not exceeding one million dollars.

Capital stock.

SECTION 3. That said company is hereby authorized to borrow money to an amount not exceeding the authorized limit of the capital stock, and to issue bonds of the company, and to secure the same by a mortgage or mortgages of all and any of the property, real and personal, and corporate franchises of the company, acquired or to be acquired, and such bonds to be with or without coupons, bearing a rate of interest not exceeding seven per cent. per annum, and the same to dispose of on such terms as the board of directors of the company may determine, but no bond to be issued of a less denomination than one hundred dollars.

Authorized to borrow money and issue bonds.

APPROVED—The 15th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 873.

An Act

Annexing the township of M'Clure, in the county of Allegheny, to the city of Allegheny.

SECTION 1. *Be it enacted, &c.*, That all the territory embraced within the present line of the township of M'Clure, in the county of Allegheny, is hereby annexed to the city of Allegheny, and shall constitute a ward of said city.

Townships annexed to city.

SECTION 2. That within thirty days from the approval of this act, it shall be the duty of the mayor of said city to issue his proclamation for an election to be held not less than ten days after the issuing of said proclamation, at which election

Election of councilmen.

the qualified voters of said ward shall elect two persons to represent said ward in the select council of said city, the person receiving the highest number of votes to be entitled to the long term, and the person receiving the next highest number of votes to be entitled to the short term; and at the said election there shall also be elected two persons to represent said ward in the common council of said city until the organization of the new council in one thousand eight hundred and seventy-four.

City ordinances
extended over ter-
ritory annexed.

SECTION 3. That all the laws and ordinances of said city are hereby extended over the territory hereby annexed.

APPROVED—The 15th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 874.

An Act

To incorporate the People's Passenger Railway Company, in the city of Philadelphia.

Commissioners.

SECTION 1. *Be it enacted, &c.*, That John Riegal, William Wilson, Joseph M. Stoddart, LeRoy Kramer, R. F. Raley, Thomas S. Harris, John L. Lawson, Alpheus Matthews, Peter S. Uildine, Robert Delevan, I. S. Webster, James C. Collins and Joseph Collins, or a majority of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company; and that they, and their associates and successors, be and they are hereby constituted a body politic and corporate by the name and style of the People's Passenger Railway Company, and as such they shall have power to lay and construct a railway in the city of Philadelphia, and carry passengers along such route and streets as hereinafter provided for; and they shall have the right to charge such rates of fare as the directors from time to time determine upon, and to equip said road, to hold purchase and convey such real estate, and to erect thereon such buildings and improvements as they may deem necessary for the purpose of said company.

Title.

Powers.

Capital stock.

SECTION 2. That the capital stock of the said company shall consist of twenty thousand shares of twenty-five dollars each, with the right to increase the same by a vote of the stockholders convened for that purpose, as much as in their opinion shall or may be necessary to complete said railway, or to make such extensions as may now or hereafter be authorized, and to carry out the full and true intent and meaning of this act: *Provided*, That the capital stock shall not exceed one million dollars.

SECTION 3. That the said company is hereby authorized to lay a single track of railway, commencing at or near the wire bridge on Callowhill street; thence along said Callowhill street to Biddle street; thence along said Biddle street to Twenty-fourth street; thence along said Twenty-fourth street to Callowhill street; thence along said Callowhill street, by double track, to Front street; thence along said Front street, by double track, to Vine street; thence along said Vine street, by double track, to Delaware avenue; thence along said Vine street, by single track, to York road or avenue; thence along said York road or avenue to Callowhill street, and connect with its said track or tracks on said Callowhill street; and thence along said Callowhill street, by double track, to the river Schuylkill, with the right to make such turn-outs, sidings and switchings and connections as the said company may deem requisite to join their own tracks, or connect with any other railway company's track on said streets; and furthermore, to extend their said tracks from Vine street, by double track along Front street, to Dock street; thence along Dock street, by double track, to Third street, and to connect with their track on Dock street, with full authority to take up all paving necessary for laying its said track or tracks; and are hereby authorized to select a suitable place for the erection of depots, stables, offices and other buildings necessary for conducting the business of the said railway company; and they shall have full authority to lay tracks along such streets as may be most convenient to reach the depots and stables of said company; and should it be necessary to cross the tracks of any other company at grade, they shall be permitted to do so by paying all the expenses thereof: *Provided*, The consent of the councils of the city of Philadelphia be first obtained thereto: *Provided also*, That said company accepts the provisions of the act to provide for the erection of a permanent Centennial building, approved March twenty-seventh, Anno Domini one thousand eight hundred and seventy-three.

Route of road.

Right to make turn-outs, sidings, &c..

Authorized to remove paving, select site for buildings, &c.

Consent of councils to be obtained.

To accept certain act.

How compensation for use of tracks of other companies determined.

SECTION 4. That in case the said company shall use the track or tracks of any other company, on any of the streets named in the foregoing section, it shall agree with such other company or companies upon the terms of compensation to be paid said company or companies for the privilege of so using and running cars on said road or roads; and if the parties shall not be able to agree upon the terms of compensation as aforesaid, then the determination of all such disputes shall be submitted to three competent and disinterested citizens of the city of Philadelphia, who shall be appointed by the judges of the court of common pleas of said city, on petition in writing from either party, to said judges, whether in vacation or at their chamber, and it shall be the duty of said judges, on the presentation of said petition, forthwith to appoint the said three referees, whose duty it shall be, without delay, to adjust and determine the compensation to be paid by the said People's Passenger Railway Company, as aforesaid; and the decision of said referees, as aforesaid, made, shall be in writing and deposited, within five days after their appointment, with the judges of the court of common pleas aforesaid, which

decision, so aforesaid made, shall be final and conclusive upon both parties.

Organization.

SECTION 5. That the parties herein named, or a majority of them, may proceed to organize said company and obtain subscriptions to the capital stock thereof, and after one thousand shares have been subscribed for and ten per centum paid thereon, then the subscribers shall proceed to elect a board of five directors, who shall serve until the second Tuesday of January following, or until their successors are elected and qualified, and the said stockholders shall annually thereafter, on the second Tuesday of January, elect a similar board of five directors to serve for one year or until their successors are elected and qualified; and if for any reason said election shall not be held at the time indicated, then another time shall be appointed by the directors after public notice of two weeks has been given in one daily newspaper published in the city of Philadelphia; and the directors shall have power to fill all vacancies in their board, whether from death, resignation or otherwise; but no person shall be or act as a director who is not a stockholder; but should any or all of said provisions for the elections of directors fail, the stockholders shall have full power to choose a new board from among themselves.

Election of directors.

Vacancies.

President and other officers.

SECTION 6. That the said directors shall have the power to appoint a president and such other officers as they may deem necessary; and in all elections for directors and at other meetings of stockholders each share shall entitle the holder thereof to one vote, but no stockholder or assignee shall vote upon any share of stock on which an instalment is due and unpaid.

Votes.

Seal, by-laws, &c.

SECTION 7. That the said company shall have power to make and have a common seal, and the same to alter and renew at pleasure, and also establish and execute such by-laws and regulations as appear to be necessary for the government of said company, the same not being inconsistent with the constitution of the United States and of this state, and it shall generally do and perform, all and singular, the matters and things which to it shall lawfully appertain to do for the well-being of said corporation and proper management of the affairs thereof.

May borrow money and issue bonds.

SECTION 8. That the said company shall have the power to borrow money in any sum not exceeding in amount one-half its capital stock, at a rate of interest not exceeding seven per cent. per annum, and for the purpose of securing the repayment of the same and the interest thereon, to issue bonds; the principal sum shall be made payable at such time as the directors deem advisable, and the said bonds may be further secured by a mortgage of and on the said railway so constructed, and the corporate rights and franchises granted by this act: *Provided*, No bonds shall be issued for a sum less than one hundred dollars, and it shall have the right to create a sinking fund for the redemption of said bonds.

Subject to.

SECTION 9. That the said company shall be subject to all the ordinances of the councils of the said city, and shall be subject to pay such taxes as are now imposed by the said councils, not exceeding in rate or amount that paid by any

other passenger railway company in the said city, and further, shall be subject to all the provisions of an act regulating railway companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered and supplied by this act.

APPROVED—The 15th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 875.

An Act

To incorporate the West End Passenger Railway Company of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That William B. Weir, Lewis F. Hilliard, Dr. J. B. Howard Gittings, John H. Schaeffer, John S. Newton, Henry G. Smith, George B. Garrett, Benjamin Sharp, B. B. Craycroft, Joseph Cofrode, John W. Baker, James C. Adam, Joseph I. Keefe, Joseph Herbert, James M. Sellers, Samuel Townsend, Albert L. Murphy, Selah H. Clark, Franklin L. Altemus, Howard Kirk, Edward Lyster, George W. Freas, and their associates, or a majority of them, be and they are hereby constituted a body politic and corporate, by the name, style and title of the West End Passenger Railway Company of Philadelphia, and as such shall have power to lay out and construct a passenger railway along such route and streets as hereinafter provided, and carry passengers over the same for such rate and toll as said company may from time to time establish: *Provided*, That all exchanges with roads running east and west shall be issued by said company for a single fare.

Corporators.

Title.

Power to construct road and carry passengers.

Exchanges with other roads.

SECTION 2. That the said company shall be authorized to lay out and construct or cause to be laid out and constructed a railway in the city of Philadelphia, to be used exclusively for passenger travel, beginning at the intersection of Thirty-ninth street and Baltimore avenue, with a single track and such turn-outs as may be necessary, and extending northeasterly along Woodlands street to Thirty-eighth street; thence northwardly along Thirty-eighth street to Lancaster avenue; thence along Lancaster avenue to Fortieth street; thence along Fortieth street to Elm avenue; thence along Elm avenue to Forty-first street; thence along Elm avenue, with a double track, to the western boundary of Fairmount park; thence with a single track, connecting at Forty-first street and Elm avenue southward on Forty-first street to Lancaster avenue; thence along Lancaster avenue to Fortieth street; thence along Fortieth street to Baltimore avenue; thence along Baltimore avenue to Thirty-ninth street;

Route of road.

and the said company shall have power and authority to extend their road in order to make another circuit by single track along Spruce street, from Fortieth street to Forty-fourth street; thence along Forty-fourth street to Pine street; thence along Pine street to Forty-second street; thence along Forty-second street to Baltimore avenue; thence along Baltimore avenue to Thirty-ninth street; and the said company shall have power and authority to lay a double track on Forty-first street north from Westminster avenue to Elm avenue, until Fortieth street be opened to Elm avenue, and a bridge be built on said Fortieth street across the Pennsylvania railroad, and also the right to use Westminster avenue from Fortieth street to Forty-first street, for the purpose of making a circuit; and the said company shall have power and authority to extend their road by single track from Forty-first street along Elm street to Thirty fifth street; thence along Thirty-fifth street to Powelton avenue; thence along Powelton avenue to Thirty-sixth street; thence along Thirty-sixth street to Locust street; thence along Locust street to Fortieth street; and the said company shall have power and authority to continue said single track from Thirty-sixth street along Walnut street to Thirty-fourth street; thence along Thirty-fourth street to Elm street; thence along Elm street to Forty-first street; and said company shall have the right in order to complete their route and to make the circuits they deem necessary, to use in lieu of Thirty-fourth street and Elm street, east of Fortieth street, any two streets east of Thirty-fourth street and north of Haverford street, and the said company shall have the power and authority to extend their said road by double track along Baltimore avenue from Thirty-ninth street to Angora; and the said company shall also have power and authority to extend their tracks from Elm avenue unto and through Fairmount park, with the consent of the Fairmount park commissioners, and upon such conditions and under such rules and regulations as may be prescribed by the said Fairmount park commissioners; and the said company shall first lay out and construct that part of their road extending from Baltimore avenue along Thirty-eighth street, Fortieth street, Lancaster avenue, Forty-first street and Elm avenue to and from the western boundary of Fairmount park, and afterwards from time to time, as they may deem advantageous to the public, shall lay out and complete their road on the routes, streets and avenues herein designated: *Provided*, That the said company in constructing said railway, shall conform to the grades now established or hereafter to be by law established, of the several streets and avenues traversed by said railway, and keep said streets and avenues between the tracks of said railway in perpetual good repair at the proper expense of said company; and also, that no freight or burden trains shall pass over said railway: *Provided*, That before the said company shall use and occupy the said streets and avenues, the consent of the councils of the said city of Philadelphia shall be given; and the said company shall be subject to the ordinances of the said city of Philadelphia, regulating the running of passenger railway cars,

What part to be first constructed.

To conform to established grades, and keep streets in repair.

Prohibition.
Consent of councils to be obtained.

Subject to city ordinances.

and shall also be subject to pay such taxes as are now imposed by the ordinances of the said city, not exceeding in rate or amount that paid by any other passenger railway company in the said city. Taxes.

SECTION 3. That said company shall have the right to cross at grade any railroad or railway that is now, or that may hereafter be built within the limits of the city of Philadelphia, except the Pennsylvania railroad, and have the right to connect their railway with that of any other passenger railway company, within the limits of the said city, for the purpose of completing a route or making a circuit, and the right to run their cars upon such railway or railways, and upon such terms as may be agreed upon by such other railway company or companies, and the said West End Passenger Railway Company of Philadelphia; and in case the said railway companies cannot agree thereupon, then the district court for the city and county of Philadelphia, upon the petition of either party, shall appoint three disinterested persons who shall fix the amount to be paid by the said West End Passenger Railway Company of Philadelphia, for the privilege of using the same, whose adjustment, upon confirmation by the said district court, shall be final and conclusive. May cross at grade and connect with other roads.
Run their cars on such roads.
How compensation for use of roads determined.

SECTION 4. That the said company shall have the right to purchase such real estate, and erect or cause to be erected such buildings and improvements thereon, from time to time, and hold and use the same; and further to have the right to purchase and use all necessary equipments for the conveyance of passengers on and over said railway as may be deemed necessary and expedient for the purposes of said company. Right to purchase real estate, erect buildings, &c.

SECTION 5. That the capital stock of said company shall consist of six thousand shares, of the value of fifty dollars each, with the privilege of increasing the same, from time to time as required, to ten thousand shares; and the said company shall have the power of borrowing any sum of money not exceeding in amount one-half of their capital stock, and at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of bonds, to be secured by a mortgage of said railway, together with the corporate rights and franchises granted by this act: *Provided also*, That the said company shall issue no bond or certificate of loan of a less denomination than one hundred dollars. Capital stock.
May borrow money and issue bonds.

SECTION 6. That the dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared in the months of January and July, in each and every year, and be paid at any time after ten days from the time of declaring the same; but such dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall not be impaired thereby; and if said directors make any dividends impairing the capital stock of said company, the directors consenting thereto shall be liable in their individually capacities to said company for the excess so divided, and each and every director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter their protest upon Dividends.

the minutes of the board, and immediately give public notice thereof by publication every other day for three days, in a daily paper published in the city of Philadelphia, having the largest circulation; and the said company shall annually pay to the commissioners of Fairmount park, for the improvement of said park, whenever the dividends exceed seven per centum on the capital stock, the sum of seven per centum on the excess thus declared.

When exceeding seven per cent., portion of excess to be paid park commissioners.

Election of directors.

SECTION 7. That the said company shall have power to elect a board of nine directors, a majority of whom shall constitute a quorum, and who shall have the sole right of conducting the affairs of said company, and who shall serve until the first Tuesday in November next, and until their successors be duly elected, and if for any reason any of said elections shall not be had at the time appointed, another time shall be appointed according to the by-laws of said company for said purpose, not more than two months later than said date; and the said directors shall supply all vacancies in their board by death, resignation or otherwise, until the next annual election; but no person shall be elected a director who shall not be at the time of the election a stockholder in said company and a resident of the city of Philadelphia; and in every election for directors each stockholder shall be entitled to one vote, either in person or by proxy, for each share of stock held by him or her.

Vacancies.

Qualifications of directors.

Votes.

President and other officers.

SECTION 8. That the said directors shall have power to elect a president, secretary, treasurer, solicitor and such other officers as may be deemed necessary and expedient: *Provided*, That the president shall be elected from among the board of directors, and that no directors shall be eligible to hold any other office in the company other than that of president or solicitor.

Seal, by-laws, &c.

SECTION 9. That the said company shall have power to make, or have made, and to keep and use a common seal, and the same to alter and renew at pleasure, and also to establish and execute such by-laws and regulations as shall appear to be necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States or of this state, and generally to do and perform all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of said corporation, and the proper management of the affairs thereof.

APPROVED—The 15th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 876.

An Act

To open a street called Silliman street, in the Twenty-fourth ward of the city of Philadelphia.

WHEREAS, By certain proceedings heretofore had in the court of quarter sessions of the peace in and for the city and county of Philadelphia, the report of a jury of review determining the public necessity of a street or road to run from Eadline street to Sycamore street, (otherwise known as Silverton avenue,) the western line of which street should be at the distance of one hundred and forty-four feet eight inches eastward of the east side of Forty-third street, in the Twenty-fourth ward of said city, and that said street should be of the width of twenty-five feet, was duly confirmed :

And whereas, By reason of the delay, unavoidably incident to the proceedings had subsequent to said confirmation of said report, great injury may be worked to the parties in interest ; therefore,

SECTION 1. *Be it enacted, &c.*, That immediately upon the entry of security in the court of quarter sessions of the peace of the city and county of Philadelphia, in such sums as shall be approved by two of the judges of said court, conditioned for the payment of such damages, if any, as may result by the opening of said street, which may be assessed by a jury drawn for that purpose in accordance with existing laws, the chief commissioner of highways of said city shall forthwith enter upon and open said street for public travel of the width and in the location in the preamble hereto mentioned, and said street shall be called Silliman street.

APPROVED—The 16th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 877.

An Act

To divorce Thomas H. Leh and Mary J., his wife.

SECTION 1. *Be it enacted, &c.*, That the marriage contract heretofore made between Thomas H. Leh and Mary J., his wife, he and the same is hereby annulled and made void, and the parties released therefrom as fully and absolutely as if they had never been married, the courts of justice having no jurisdiction in the premises.

APPROVED—The 16th day of April, A. D. 1873.

J. F. HARTRANFT

No. 878.

A Further Supplement

To an act to incorporate the trustees of the Fire Association of Philadelphia.

How funds may be invested.

SECTION 1. *Be it enacted, &c.*, That all moneys which the Fire Association of Philadelphia may invest by virtue of an act supplementary to an act, entitled "An Act to incorporate the trustees of the Fire Association of Philadelphia," approved May fifth, eighteen hundred and seventy-one, the said association may invest in such other securities, not named in said act, as the president and directors may deem advisable, and may loan of said moneys on such collateral security as the said president and directors shall deem prudent; the authority herein granted not to authorize the use of any such money for banking purposes: *Provided however*, That an amount equal to the capital stock of said association shall at all times be invested in the securities, or some of them, named in the supplementary act above mentioned, approved May fifth, one thousand eight hundred and seventy-one: *And provided further*, That nothing herein contained shall be taken to authorize the loaning of any moneys of the said association at other than legal rates of interest.

Dividends.

SECTION 2. That the president and directors of the said association shall have the power in dividing the profits semi-annually, at the times mentioned in the act approved May fifth, eighteen hundred and seventy-one, referred to in the first section hereof, to declare such dividends from said profits and accumulations, otherwise, as they shall deem advisable, leaving the capital stock and the moneys received upon undetermined risks fully unimpaired; and all laws or parts of laws inconsistent herewith are hereby repealed.

Repeal.

APPROVED—The 17th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 879.

An Act

To vacate Gray's lane, from Vine to Callowhill street, in the Twenty-fourth ward, city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That so much of the said Gray's lane, as the same is now laid out and opened, extending from Vine to Callowhill street, in the said city, be and

the same is hereby vacated, and the title to the soil over which said lane as aforesaid passed, is hereby vested in fee simple in the several owners of the lots fronting on said vacated lane, each owner to take the part opposite to his, her or their lot, by extending the lines of the said respective lots to the middle of the said vacated lane as aforesaid.

APPROVED—The 17th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 880.

A Supplement

To an act to extend certain avenues in the city of Scranton, approved the third day of April, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.,* That the supervisors authorized by the act to which this is a supplement, shall constitute and be a joint commission of the city of Scranton and borough of Dunmore, and designated as such, and as such it shall be the duty of said commission to carry into effect the provisions of this act, and the act to which it is a supplement, relating to said supervisors, or otherwise, according to the true intent and meaning of the same. The number of persons to compose said joint commission is hereby increased to seven, one of whom shall be appointed jointly by the president of the select and the president of the common councils of the city of Scranton, and one jointly by the burgess of the borough of Dunmore and the president of its common council.

Supervisors to constitute a joint commission.

Number of commission increased.

SECTION 2. That it is hereby made the duty of said joint commission to open, extend and grade, the same as if named and included in the act to which this is a supplement, certain other avenues and streets in said city and borough herein named, namely: Capouse or Franklin avenue, from the point to which it is now opened and graded, to Marion avenue, and from thence by Ninth street and extension of the same to the Philadelphia and Great Bend turnpike; Penn avenue, from Ash street to Marion avenue, and from thence by Tenth street and the extension of the same to said turnpike; Eighth street, in the Second ward of said city, from Marion avenue, to be extended to said turnpike; Ash street, from Capouse avenue to Quincy avenue; Jefferson avenue, from Chestnut to Ash street, and Clay avenue, from the Dunmore road at the intersection of Walnut, to Marion avenue, from thence by Eighteenth street, and the extension of the same, to said turnpike; and it shall be the duty of the commissioners appointed by the court of quarter sessions of Luzerne county, under the provisions of the act to which this is a supplement, to view,

To open, extend and grade certain streets and avenues.

Duty of commissioners appointed by court.

locate and extend the several avenues and streets named in this section and make report of the same to said court for confirmation, as required in the case of the other avenues.

Of the confirmation of reports of commissioners, and how reports may be made.

SECTION 3. That it shall be lawful for said court of quarter sessions to confirm absolutely the report or reports of said commissioners at any time, in no case no exceptions are filed, upon satisfactory proof being made that notice of the filing of the report, and that application would be made to said court for confirmation, had been published for at least three weeks, twice a week, in two newspapers published in the city of Scranton; the commissioners may make report on all or any of the avenues and streets named in this act or the act to which this is a supplement, in one report or separately on each avenue or street or parts thereof, and from time to time as the locations are made and completed: *Provided*, It shall be lawful for said court to confirm absolutely such part or parts of any report to which exceptions are not filed.

Commission to collect assessments for contribution, &c.

SECTION 4. That it shall be the duty of said joint commission, immediately after their organization, to proceed and collect the assessments made for contribution under the second section of the act to which this is a supplement, and pay the same in settlement of the damages assessed under said section, and in behalf of said city or borough as the case may be, and require the necessary releases; in case of the neglect or refusal of lot owners, assessed for contribution, to make payment after ten days' notice, five per centum shall be added thereto, and in case of continued neglect or refusal for fifteen days, ten per centum additional shall be charged and collected; the said assessments for contribution shall be and remain a lien on the lots assessed from the time of the confirmation of the report making the assessment, and a claim therefor in favor of said city or of said borough, as the case may be, shall be filed in the mayor's court of the city of Scranton, and the collection thereof enforced by *levari facias* in the same manner as on a judgment on mechanics' liens.

Additions in cases of neglect to pay.

Such assessments to be liens.

Claim may be filed, and collection enforced.

Notice to lot owners who prefer to grade in front of their premises.

SECTION 5. That it shall be the duty of said joint commission, before proceeding to open and grade any of the avenues or streets, to give notice by publication in one more newspapers published in said city for one week, daily, requesting the owners of lots or real estate adjoining and fronting on the avenues or streets about to be graded, who prefer to grade in front of their lots as authorized by the tenth section of the act to which this is a supplement, to notify in writing the secretary of said commission within fifteen days after the publication of said notice, otherwise the grading will be done by said commission, without other or further notice; owners who prefer to grade in front of their lots must commence at the time fixed by said commission, and continue the grading under their direction, or forfeit the privilege given them by said tenth section.

When owners must commence work, &c.

When commission to invite proposals for grading.

SECTION 6. That immediately after the expiration of the notice to lot owners, required by the preceding section, it shall be the duty of said joint commission to invite proposals for grading, as required by the fifth section of the act to which this is a supplement; that as soon as the cost of open-

ing and grading the avenues and streets for public travel is ascertained from the proposals accepted, the same shall be justly and equitably apportioned and assessed on each lot fronting on the avenues and streets to be opened and graded by said commission, so that the cost shall as nearly as practicable to distribute it, be borne equally by each lot; that proposals for grading shall be made for each avenue and streets separately, and lots assessed only for the cost of grading the avenue or street on which they front.

Cost to be assessed on lots fronting on streets.

How proposals to be made.

SECTION 7. That payment of the assessments for opening and grading may be demanded by said commission after ten days' notice of the same, and in case of neglect or refusal to pay the assessment, five per cent. additional shall be charged, and in case of continued neglect or refusal to pay for fifteen days, ten per cent. additional shall be charged; said assessments and charges shall be and remain a lien from the time made until fully paid, and may be filed and entered of record in the mayor's court of the city of Scranton, as municipal claims in favor of said city or said borough of Dunmore, as the case may be, in a separate docket to be called the improvement lien docket, and the collection of said claims shall be enforced by *scire facias* as in case of mechanics' liens; in the case of non-resident owners of lots, two *nihilis* shall be equivalent to service.

Of the collection of assessments for opening and grading.

SECTION 8. That the claims authorized by this act to be entered of record, shall be against the owner or reputed owner of the lot, and shall describe the lot as in case of a mechanic's lien, and the lien of such claims shall not be divested by any judicial sale as respects so much thereof as the proceeds of such sale be insufficient to discharge and pay; that in case of non-resident owners of lots, the notices and demands for payment required by this act may be served and made on their agent or attorney, or by publication daily in one or more newspapers published in Scranton, for two weeks; lots of non-resident owners sold on *levari facias*, under the provisions of this act, shall be subject to redemption by the owner for one year from the day the sale was made, on payment of the claim upon which it was sold, with costs and twelve per centum additional for any sum in excess of the claim and costs for which the lot or lots of non-resident owners may be sold; it shall be lawful for said joint commission to take an obligation, with one or more sureties, for the payment of the same in one year from the date thereof, with interest in default of the owner redeeming the lot, said obligation to be taken for the use of such owner or reputed owner, and shall be a lien on the lot sold; the money paid on said obligation shall be held in trust by the city of Scranton, subject at any time to the orders of such lot owner or his legal representatives.

What claims for work to set forth.

Lien not to be divested by judicial sale.

Cases where owners of lots are non-residents.

SECTION 9. That said joint commission, before entering upon the duties of their office, shall be duly sworn or affirmed to perform the duties required of them by this act, and the act to which it is a supplement, with fidelity, that they will keep, or cause to be kept, a correct record of all their proceedings, and make true report of the same to the commissioners of

Commission to be sworn.

Compensation of
engineer and su-
perintendent.

the city of Scranton, and common council of the borough of Dunmore; that the engineer and superintendent employed by said joint commission shall receive reasonable compensation for their services, to be fixed by said commission.

Treasurer of com-
mission, duties
of, &c.

SECTION 10. That the treasurer of said joint commission, who may also perform the duties of secretary and keep a record of their proceedings, shall have the custody of all money paid in on assessments for grading or for damages or otherwise, and pay the same on the order of said commission, signed by the president; the certificate of indebtedness authorized by the ninth section of the act to which this is a supplement, shall be received by him as well as the orders drawn on him in payment of assessments on lots for grading; he shall report to said commission, whenever required by them, all transactions relating to the business of his office, and before entering upon the duties of his office shall give bond to the city of Scranton, in such an amount and with such sureties as said commission shall approve, for the faithful performance of his duties, which bond shall be held for the use and security of the borough of Dunmore as well as said city.

Commission may
fill vacancies tem-
porarily.

SECTION 11. That in case of a vacancy in said joint commission from any cause, such vacancy may be filled temporarily by said commission, until such time as the same shall be duly filled as authorized by this act or the acts to which it is a supplement.

Authorized to
make contracts.

SECTION 12. That said joint commission shall have full power and authority to make and enter into all contracts necessary to carry effect the true intent and meaning of this act, and the act to which it is a supplement, and so much of the act to which this is a supplement, as is altered by this act, or is inconsistent with the same, be and the same is hereby repealed.

Mayor's court to
fill vacancies.

SECTION 13. That any vacancy in said joint commission, not provided for by this act, or that to which it is a supplement, shall be filled by appointment of the mayor's court of the city of Scranton.

APPROVED—The 17th day of April, A. D. 1873.

J F. HARTRANFT.

No. 881.

An Act

Authorizing such changes in the lines and grades of Main street, Twenty-first ward, in the city of Philadelphia, as will adapt it to the eastern approach of the proposed West Laurel Hill bridge.

SECTION 1. *Be it enacted, &c.,* That the West Laurel Hill Bridge Company be and they are hereby authorized to make

such changes in the lines and grades of Main street, Twenty-first ward, in the city of Philadelphia, as will adapt the said Main street to the eastern approach to their proposed bridge over the Schuylkill river: *Provided*, That the plan of such changes shall be submitted to and approved by the board of surveyors of the city of Philadelphia, and that the city of Philadelphia shall be at no expense for altering the grade or for any damages by reason thereof.

APPROVED—The 17th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 882.

An Act

To change the time of opening and closing the municipal or borough elections in the borough of Franklin, in the county of Cambria.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act, the municipal or borough elections in and for the borough of Franklin, in the county of Cambria, shall be opened between the hours of six and seven o'clock A. M., and be closed at seven o'clock P. M.

APPROVED—The 17th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 883.

An Act

To incorporate the Minnequa Springs Improvement Company, and to authorize corporations to subscribe for its capital stock, and guarantee its bonds.

SECTION 1. *Be it enacted, &c.*, That L. J. Andrus, Kellion Corporators.
Packard, H. N. Williams, P. Herdic, and E. M. Caldwell,
their associates and successors, be and they are hereby
created a body corporate and politic, by the name, style and
title of the Minnequa Springs Improvement Company, and by Title.
that name and title they shall be known, and have perpetual
succession, and be capable of suing and being sued, implead- Powers and privi-
ing and being impleaded, and of receiving, using, holding, leges.
granting and conveying property, real, personal and mixed,

and of improving the same by the erection of tenant houses, cottages and other privileges, and with the privileges of constructing and using such other works and improvements as may be deemed expedient and proper by them, and also to let, lease or dispose of any part of their property, real, personal or mixed, with or without improvements, and of all the products and profits of the same, in such market and places, and at such prices, and on such terms as to them shall seem advisable: *Provided*, That nothing herein contained shall authorize banking, loaning of moneys, or discounting securities, and the said company at no time shall hold more than one thousand acres of land in this commonwealth, to be located at Minnequa, Bradford county.

Proviso.

Capital stock.

SECTION 2. That the capital stock of said company shall be two hundred and fifty thousand dollars, with the privilege of increasing the same from time to time to one million of dollars, the shares of which shall not be less than twenty-five dollars each, which capital stock or shares may be appropriated to the purposes set forth in this act, or to be sold at such price and upon such terms as the said company may determine, and shall not be subject to assessment or further calls.

May create mortgages with bonds.

SECTION 3. That the said company shall have power to create mortgages on any part or the whole of their property, real, personal or mixed, with coupon bonds, at a rate of interest not exceeding eight per centum per annum, and may increase their resources from time to time by borrowing money upon a pledge of their property or without such pledge.

Borrow money.

Corporations may subscribe for stock, purchase bonds, &c.

SECTION 4. That it shall and may be lawful for any incorporated company of this commonwealth to subscribe and take shares of stock in said company, or to purchase the bonds or stock, to guarantee the payment of said bonds and the interest thereon, or either principal or interest, (the interest to be paid in accordance with the provisions of the coupons attached to said bonds;) the principal sum of said bonds shall be made payable within thirty years from the date thereof.

May introduce water on property.

SECTION 5. That said corporation shall have the right and privilege of introducing upon the property so held by them or others, water for domestic purposes, and security against fire, from any stream of water within five miles of the territory or real estate so held by them, on paying to the party or person from whose property the same is taken, such damages as may be awarded by the court in like cases of taking private property for public purposes: *Provided*, That nothing in this section shall be construed to authorize the taking of water from Lake Nepauncan or any stream running therefrom, or any water needed for the use of private families of Canton borough.

Proviso.

Directors.

SECTION 6. The said corporation shall have the right to fix the number of directors by their by-laws, a majority of whom shall be a quorum, one of whom shall be by them elected president, and they shall hold their office until their successors are duly elected.

By-laws, seal, &c.

SECTION 7. The said corporation shall be and they are hereby authorized to make all such by-laws and regulations to enable them to carry out the business and objects of the

corporation as they may deem proper, not inconsistent with the constitution or laws of this commonwealth; to adopt and have a corporate seal and alter the same at pleasure, to fix the amount of shares and the par value of the same, and issue certificates therefor, representing value in their property, in such form and subject to such regulations and interests as they from time to time may prescribe, and may fix the number of directors of the company, and increase or diminish said number, the same to be elected annually.

SECTION 8. That the principal office of said company shall be at Minnequa, Bradford county, Pennsylvania, and that branch offices and agencies may be established elsewhere for the transaction of any business of the company: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law. Offices.
Bonus and taxes.

APPROVED—The 17th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 884.

An Act

To lay out, open and construct a state road from the south-east end of Montgomery avenue, in Lower Merion township, Montgomery county, to Belmont avenue, in the city of Philadelphia, with a branch road to Fairmount Park, in the said city.

SECTION 1. *Be it enacted, &c.*, That Jacob L. Stadelman and Owen Jones, of the county of Montgomery, and George B. Roberts, Strickland Kneass and James Hunter, of the city of Philadelphia, be and they are hereby appointed commissioners to lay out a state road, commencing at the south-east end of Montgomery avenue, in Lower Merion township, in the said county of Montgomery; thence on the line or course of said avenue to some point at or beyond the Gulf road; thence by a straight course to some convenient point on the old Lancaster road at or near the corner of lands of the heirs of Dr. Anderson and Dr. Evans; thence following the course of the said old Lancaster road to a point on the said road at or near the old seven (7) mile stone; thence, leaving the said old Lancaster road, by a straight course upon or near the line of the present public road passing between the mansion house on the property now or late of Morris R. Stroud, and the house on the property now or late of Mrs. Mary J. Jones, to such point as they may deem fit; thence by a second straight course to a point on the Conshohocken state road about opposite the line between lands of P. J. Commissioners.
Route.

Branch road.

Width.

Proviso.

Proviso.

When commissioners to meet, &c.

Reports and drafts to be made and filed.

Jordan and John W. Simes, Jr.; thence along and upon said state road to City avenue; thence along or about the former course of the old state railroad to Belmont avenue, in the city of Philadelphia. And the said commissioners are hereby further authorized to lay out a branch road commencing on the said hereinbefore authorized state road, at the first angle in the same east of the said mansion house, now or late the property of Morris R. Stroud, thence by the best and most practicable route, conforming as far as practicable with streets of the city of Philadelphia, to a point in the north-west bounding avenue of Fairmount Park, in the city of Philadelphia, at the first angle west of Belmont avenue. The width of said portion of said road and branch in Montgomery county shall be sixty-six feet, and the width of said portion of said road and branches in the city of Philadelphia shall be one hundred feet; but the owners of property fronting thereon, in said city, may enclose and occupy twelve and a half feet of that width, on each side, for ornamental planting and embellishment: *Provided*, That no permanent structure shall be erected thereon; but any building which now stands within the width specified, which, in the judgment of said commissioners, shall not constitute such an obstruction as to interfere with the free use of said road may be left standing as now erected: *And provided further*, That the entire width shall be thrown open to public use whenever the court of quarter sessions of the said city shall so adjudge.

SECTION 2. The said commissioners shall meet in the city of Philadelphia within thirty days after the passage of this act, and having been duly sworn or affirmed to perform the duties of their appointment to the best of their judgment and ability, shall proceed as soon thereafter as practicable, to view the ground and lay out said roads and distinctly mark the course of the same, and said commissioners are hereby authorized to employ a surveyor and two chain carriers and one assistant.

SECTION 3. When the said roads shall have been duly laid out, it shall be the duty of the said commissioners to write out a full report of their proceedings, specifying, particularly, the manner in which said roads are to be constructed, and having annexed thereto an accurate draft of the routes thereof, showing their courses and distances, the crossings of streams, ravines and public roads and other matters of explanation, the said report and draft shall be forthwith filed in the office of the secretary of the commonwealth, and counterparts thereof they shall likewise file in the office of the court of quarter sessions of Montgomery county, and in the office of the board of surveys, in the city of Philadelphia, which said reports shall thereupon become matters of record, and said roads shall thenceforth become public highways, and it shall be the duty of the chief commissioner of highways of Philadelphia to proceed forthwith to open and construct those portions of said roads within the city of Philadelphia, in accordance with the specifications of said report, and as though the same were laid out on the plan of said city and directed to be opened by ordinance of councils; and it shall be the duty of the supervisors of said

Lower Merion township to proceed forthwith to open and construct those portions of said roads within Lower Merion township as though said roads were laid out under authority of the court of quarter sessions of Montgomery county, and the costs and expenses of constructing the same shall be paid in the manner hereinafter provided; and if said chief commissioner of highways, or said supervisor, or either of them, shall fail to open their respective portions of said roads, or any part of the same, within thirty days from the service on them, respectively, of notice that the said reports have been filed as aforesaid, or if, in the judgment of the said herein appointed commissioners, the said chief commissioner of highways or said supervisors shall fail to construct and finish said roads or any part thereof within their respective districts in accordance with the specifications of said report within one year from the service of said notice, then it shall be the duty of the said herein appointed commissioners to proceed without delay to open, construct and finish said roads or any part or parts thereof then remaining unopened or in their judgment unconstructed or unfinished.

Opening and construction of roads, relative to.

SECTION 4. The said herein appointed commissioners shall have power to fill all vacancies which may occur in their own number, and a majority of them shall constitute a quorum for all purposes authorized by this act. Each of said commissioners shall receive compensation at the rate of three dollars per diem for time actually employed in their said duties, and shall also be allowed five dollars per diem for their surveyor and two dollars per diem for each chain carrier and two dollars per diem for their assistant; and such expenses shall be apportioned by said commissioners between the township of Lower Merion, in the county of Montgomery, and the city of Philadelphia, according to the time occupied by them in each.

Vacancies.

Quorum.

Compensation.

SECTION 5. All costs and expenses in and about the laying out, opening and construction of those parts of said roads within the city of Philadelphia, shall be paid by the said city on warrants or orders on the city treasurer drawn by the chief commissioner of highways, and the like costs and expenses in and about the laying out, opening and constructing of those parts of said roads within the county of Montgomery shall be paid by the supervisors of said township of Lower Merion, who are hereby authorized and required, on the requisition of the said herein appointed commissioners, forthwith to levy a township tax in the manner usual for road purposes for any such costs and expenses in constructing said road and branch as may be incurred under the order of said commissioners under and by virtue of the authority given them in this act, and the said chief commissioner of highways of Philadelphia, is hereby authorized and required to issue warrants or orders as aforesaid on the requisition of the said herein appointed commissioners for any such costs and expenses as may be incurred by their order under and by virtue of the authority given them in this act.

How cost and expenses to be paid.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 885.

An Act

To incorporate the Allegheny and Fayette Railroad Company.

Commissioners

SECTION 1. *Be it enacted, &c.*, That John Walker, Jr., Brin Wall, Robert C. Walker, Thomas H. Sherman, Robert Hogshead, A. E. Wilson, Jacob Wolf, James Cochran, Wm. Hunt, Adam Jacobs and John E. Shaffer, their associates and assigns, or a majority of them, be and the same are hereby appointed commissioners to open books, and receive subscriptions, and organize a company by the name and style of the Allegheny and Fayette Railroad Company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, except as far as the same are altered or supplied by this act.

Name.

Subject to.

Capital stock.

SECTION 2. The capital stock of this company shall consist of one thousand shares of one hundred dollars each; and the company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock to so much, as in their opinion may be necessary to complete and equip the said road, and carry out the true intent and meaning of this act, not exceeding thirty thousand per mile.

Authorized to construct railroad.

SECTION 3. That the said company shall have the right to construct a railroad from Elizabeth, in the county of Allegheny, to Uniontown, in the county of Fayette, by the most practicable and advantageous route, and to cross the Monongahela river on any railroad bridge that will afford a connection with the Pittsburg, Virginia and Charleston railroad, at a point not less than ten miles from the Pittsburg terminus of said road.

Cross Monongahela on railroad bridge.

May borrow money and issue bonds.

SECTION 4. That the said company may at any time borrow such amount of money as they may deem expedient or necessary for the construction and equipment of the road hereby authorized to be built, issue bonds, with or without coupons therefor, in sums not less than one hundred dollars, payable at such times and on such terms, and at such rate of interest, not exceeding seven per centum per annum, as they may deem proper; and may secure the payment thereof by mortgage or mortgages upon said railroad, its property, rolling-stock, tolls, rights and franchises, or any part thereof: *Provided*, That the consent of the party constructing the bridge so used shall be first had and obtained.

Consent to use bridge to be obtained.

APPROVED—The 16th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 886.

An Act

Authorizing the construction of a railroad and toll-bridge across the Monongahela river.

SECTION 1. *Be it enacted, &c.*, That John Welker, Jr., Brishin Wall, Robert C. Walker, Thomas N. Sherman and John E. Shaffer, their associates and assigns, be and the same are hereby created a body corporate and politic, under the name, style and title of the Sherman Railroad and Bridge Company, with all the powers and subject to all the provisions and restrictions of the act regulating bridge companies, approved April twelfth, Anno Domini one thousand eight hundred and fifty-five, and its supplements.

SECTION 2. The capital stock of said company shall be two hundred thousand dollars, in shares of one hundred dollars each, and the said company is hereby empowered to borrow any sum of money not exceeding the amount of their capital stock, as authorized by this act, and to issue bonds therefor, with or without coupons attached: *Provided*, That no bond shall be for less than one hundred dollars, and with interest not exceeding eight per cent. per annum, and the company may secure the bonds by a mortgage upon the franchises and property of the company.

SECTION 3. The said company shall have the right to build a bridge across the Monongahela river, at any point in Forward township, Allegheny county, between the borough line of Elizabeth and Lock number three, connecting with a corresponding point on the opposite or western side of said river, and to lay thereon a railroad, connecting on the western side of said river with the Pittsburg, Virginia and Charleston railroad, and connecting on the eastern side with any railroad already authorized to be built or that may hereafter be constructed; and for the transit of all freight cars, passenger cars and engines, foot travel and other traffic over said bridge, the company shall be entitled to levy and collect tolls not exceeding those authorized to be charged by the Columbia Bridge Company under its charter and the supplements thereto; said bridge is to be so constructed as not to interfere unnecessarily with navigation, to have a clear elevation of sixty feet above low water mark, and its piers to be at least two hundred feet apart.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 887.

An Act

To authorize the commissioners of Mifflin county to cause a public bridge to be erected over the Juniata river at the borough of Lewistown.

County commissioners authorized to have bridge erected.

SECTION 1. *Be it enacted, &c.*, That the commissioners of the county of Mifflin, be and they are hereby authorized to cause a good and substantial county bridge to be erected at the expense of said county, over and across the Juniata river, from a point at or near the western terminus of West Market street, in the borough of Lewistown, to the land of James Burns, in Granville township, in said county, and that the said commissioners are hereby required to provide the means and cause the said bridge to be erected as speedily as possible, so that the same shall be completed on or before the first day of July, in the year of our Lord one thousand eight hundred and seventy-four: *Provided*, That before proceeding to build the said bridge the commissioners of said county shall cause an estimate to be made of the cost of constructing the same, and shall let the said bridge to the lowest and best bidder after due public notice; and after the same is completed the court of quarter sessions of Mifflin county shall appoint three disinterested persons to view and inspect the same and make report, and the proceedings thereon shall be according to the thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth and forty-fifth sections of the act relating to roads and bridges, approved the thirteenth day of June, Anno Domini, one thousand eight hundred and thirty-six: *Provided further*, That if any change of a public road or the laying out of a new road may be rendered necessary in order to cross the said bridge, that then and in such case the court of quarter sessions of the said county of Mifflin shall appoint three disinterested persons, resident in said county, to view the same, upon the petition of any resident or residents of said county, and the proceedings of the said viewers thereon shall in all respects be governed by the road laws now applicable and in force in the county of Mifflin.

Proviso.

Proviso.

Authorized to borrow money and issue bonds.

SECTION 2. That for the purpose of carrying into effect the provisions of this act the commissioners of the county of Mifflin are hereby authorized, if necessary, to borrow any sum of money not exceeding thirty thousand dollars, at a rate of interest not exceeding seven per cent., and to issue bonds therefor in sums not exceeding two hundred dollars.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 883.

An Act

To incorporate the Chronicle Publishing Company of Philadelphia.

SECTION 1. *Be it enacted, &c.,* That G. Wharton Hamersly, Alfred C. Lambdin, E. Alexander Scott and their sccessors, are hereby constituted a body politic and corporate in fact and in law, under the name style and title of the Chronicle Publishing Company, with a capital of one hundred thousand dollars, to be divided into shares of the value of one hundred dollars each, with the privilege to increase the same by a vote of the stockholders at an annual or special meeting, from time to time, to an amount not exceeding two hundred and fifty thousand dollars, and by that name they shall have succession and be capable of suing and being sued, and shall by their corporate name be capable in law of purchasing, leasing, holding and conveying any real or personal estate they may deem proper to carry on the business of said corporation, and with authority to have and use a common seal, and the same to change at pleasure; and the said association may make all needful rules, regulations and by-laws for the management of the business of the corporation, and upon the filing a duly provided certificate of the officers of said company in the office of the secretary of the commonwealth may change the name of said corporation.

SECTION 2. The affairs of the company shall be managed by a board of trustees not exceeding seven, who shall choose such officers and agents as may be necessary to conduct the business of the association; the first board of trustees shall be elected by a majority of the corporators, and such shall afterwards be elected annually at meetings of stockholders called for the purpose, and at such elections each share of stock shall have one vote which may be cast either in person or by proxy.

SECTION 3. The business of said corporation shall be confined to printing and publishing in all its branches, and the management of such real and personal estate as they may lease or purchase; and they shall have authority to issue bonds bearing such rate of interest as may be agreed upon, not exceeding in amount of principal the amount of the capital stock of said company, and reserve the same by mortgage on the real and personal property and franchises of the corporation: *Provided*, That said bonds shall not be issued for a less sum than one hundred dollars each and shall be redeemable within thirty years.

SECTION 4. The trustees shall declare dividends at such times as the profits of the corporation shall warrant: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law, and the stockholders of said com-

Individual liability

pany shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 889.

• An Act

For the more safe and speedy collection of taxes in the city of Pittsburgh.

Of the collection of taxes on trades, professions and occupations.

SECTION 1. *Be it enacted, &c.*, That the taxes and public assessments, other than street and sewer assessments, made payable at the treasurer's office, in the city of Pittsburgh, by virtue of existing laws, shall be payable as follows, viz: The taxes assessed on trades, professions and occupations, except where the persons assessed are owners of real estate, shall be returned to the city treasurer, by the several persons authorized to assess the same, on or before the first day of March, in each and every year; on receipt of said assessments it shall be the duty of the city treasurer to appoint collectors for the several wards, who shall proceed immediately to collect the taxes so as aforesaid returned to the city treasurer, in the same manner that taxes are now collected by collectors in said city; the collectors shall receive ten per centum on the amount collected as compensation.

Of payment and collection of taxes and water rents assessed on real estate and business.

SECTION 2. The taxes and water rents now collected in the office of said treasurer, which are assessed on real estate and business, not including street and sewer assessments, shall be returned to the city treasurer on or before the first day of June, in each and every year, and the same shall be payable at the office of said treasurer, between the first day of June and the first day of August, subject to a deduction of five per centum if paid on or before the first day of August, after which date it shall be the duty of said treasurer to issue his warrants to collectors, in the manner now prescribed by law, to collect the taxes remaining unpaid after said first day of August, on which the sum of ten per centum shall be added for expenses of collection. The bonds of collectors of taxes shall be approved by the finance committee of councils before they receive duplicates.

Controller to verify returns of lost and exonerated taxes.

SECTION 3. That the returns of lost and exonerated taxes, made by the several collectors, shall be examined and verified by the city controller before the same shall be allowed; and the controller of said city shall, for the year eighteen

hundred and seventy-three, and each year thereafter, receive the same salary as is now paid to the city engineer of said city. Salary.

SECTION 4. If the board of revision for the equalization of the valuation of taxable property within the city of Pittsburgh, authorized by the act of the twenty-eighth day of March, one thousand eight hundred and seventy-two, and city ordinance passed in conformity therewith, shall, from any cause, either by the repeal of the ordinance or otherwise, fail to perform the duties imposed by said act and ordinance, the said duties shall devolve upon the city assessor, and be performed by him; all laws or parts of laws inconsistent with the provisions of this act, be and the same are hereby repealed. When city assessor to perform duties of board of revision. Repeal.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 890.

An Act

Relating to purchases and sales of real estate by building associations in the county of Lancaster.

SECTION 1. *Be it enacted, &c.,* That all purchases of land not exceeding five acres, by any savings fund, loan or building association within the county of Lancaster, and incorporated under the laws of this commonwealth, and all sales thereof heretofore or hereafter made to any person or persons whatsoever, are hereby confirmed and made valid.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 891.

An Act

Relative to laying out, opening and grading streets in the city of Lancaster.

SECTION 1. *Be it enacted, &c.,* That the councils of the city of Lancaster are hereby authorized and required, within three months after the passage of this act, to meet in joint conven- Councils to appoint civil engineer.

His duties and powers.

tion, and appoint a competent civil engineer, with such assistance, with such compensation as they may deem proper, and in case of vacancies in said appointments, the same shall be filled by the council of said city; it shall be the duty of said civil engineer, as soon as the same can be done, to survey and mark the lines of all the streets and highways of the city now opened, or intended to be opened for public use within the said city, and also survey and lay out the width and extension of the same, and such new streets, avenues and highways within the limits of said city, and the additional width of such alleys and avenues as are now insufficient as may be necessary for a regular and convenient town plan, and for the more equal distribution and ready discharge of the waters thereof, and to regulate the height, ascent and descent of said streets, avenues and highways, and of the gutters, side-walks or footways thereof, and to vacate all such public or private roads, streets, lanes or ways as may be supplied by the streets, avenues and highways thus surveyed and laid out, and the further continuance of which shall be unnecessary and interfere with the regularity of said plan; for said purposes, the said engineer shall have full power and authority, with or without his assistants, to enter upon the lands of any person or persons within said city; and when the said survey and regulations shall be completed, the said engineer shall make, or cause to be made, duplicate drafts or plans thereof, with every position or explanation necessary for a full understanding of the same, distinctly designating where the new streets, avenues and highways shall hereafter be opened, and one of the said drafts or plans shall be returned to the councils, who shall keep the same in such place as they shall fix upon, and the other of said drafts or plans shall be delivered to the clerk of the court of quarter sessions of the county of Lancaster, to be by him filed in his office for public inspection and examination; it shall be the duty of the said councils to give at least thirty days' previous notice in at least two of the public newspapers published in the said city, that on a certain day or days to be appointed by the court, the said court will hear any objections that may be made to said draft or plan by any freeholder or citizen of the said city, and the said court shall at the time appointed, adjudge and determine whether any and what alteration shall be made therein, and shall direct the draft or plan with such alterations as shall be made, to be recorded in the office of the clerk of said court, and thenceforth all the streets, avenues and highways as therein contained, shall be deemed, adjudged and taken to be public highways; and the survey and regulations of the said streets, avenues and highways so filed and recorded, shall be deemed and adjudged, established and fixed; and in case the city council shall change or alter or should they by themselves, or their officers, deviate from the regulations of the streets, avenues and highways so as aforesaid established, and damages should accrue to the property of any person or persons in consequence thereof, the said city shall be liable to the payment of such damages; and inasmuch as the public convenience will for the present be answered by a certain knowledge as to

Drafts or plans, hearing of objections to, &c.

City liable for damages caused by deviation from established regulations.

where and in what manner streets, avenues and highways will in future run, but as it may not be necessary immediately to open or widen the same, in order to provide for the opening and widening thereof according to the draft or plan aforesaid, from time to time, as the increasing improvement of the city may require, it shall be lawful for the city council by joint resolution, or any six freeholders by petition, to apply to the court of quarter sessions of the said county of Lancaster, who after hearing the said application, and such of the freeholders through whose lands said streets, avenues or highways may pass as shall offer objections thereto, shall determine whether it be proper at the time to direct the opening of the same or any portion thereof, and if the court shall be of opinion that the state of improvements or other necessities in the neighborhood is such as to require the opening thereof, they shall issue their warrant to the street commissioner of said city, enjoining and requiring him to open so much of said street, avenue or highway as they may direct, according to the said draft or plan, and to vacate such public or private ways as may thereby be rendered unnecessary: *Provided*, That no such street, avenue or highway as laid out, shall be opened or appropriated to public use until the owner or owners of ground through and over which the same may pass shall have been paid the damage which shall have been ascertained as hereinafter provided; it shall not be lawful for the said court to direct the laying out and opening of any street, avenue or highway within said city contrary to the provisions herein contained; and if any owner or owners of real estate, or his or their legal representatives or assigns, shall build or enlarge any house or building within the line of any street, avenue or highway as conveyed and marked on the draft or plan aforesaid, after the approval and recording of the same, such owner or owners, representatives or assigns shall not be entitled to any damage which may be caused by the removal of such house or building for the opening or widening of any such street, avenue or highway.

Provisions relative to opening and widening of streets.

When owners of buildings not entitled to damages caused by removal of same.

SECTION 2. That upon the said draft or plan being recorded as aforesaid, it shall be the duty of the court of quarter sessions of Lancaster county to appoint five disinterested and discreet freeholders, none of whom shall reside or own real estate within the said city, who being first sworn or affirmed to perform their duties in the premises with fidelity, shall inquire what damages the owner or owners of lands, house or houses, or other property, shall or may sustain by reason of the same being taken, used and appropriated for the use of public streets, avenues or highways according to the said draft or plan, and it shall be the duty of the said freeholders in assessing damages to consider the advantages which may accrue to the owner or owners of such lands, house or houses or other property by reason of opening said street, avenue or highway; upon the return of the valuation and assessment of damages as aforesaid, which may be made by a majority in number of the said freeholders, and the approval of the same by the said court, the same shall be the damages that the owner or owners aforesaid, or his or their legal repre-

Provisions relative to damages

sentatives or assigns, shall be entitled to for the taking of such grounds or other property, and which shall be paid by the said city of Lancaster and the county of Lancaster, in the manner and in the proportions directed by existing laws, and the said freeholders shall be paid for their said services at the rate and in the manner provided by said laws for road viewers: *Provided*, That no damage shall be paid until it shall have been ordered as hereinbefore provided that the streets, avenues or highways, or any portion thereof, for the opening of which the damage is awarded shall be opened, until which time the owner or owners of property shall enjoy the use of the same, subject to the provisions and restrictions contained in this act, and interest shall be paid on said damage only from the time said street, avenue or highway is ordered to be opened for public use until date of payment: *And provided also*, That if said damage shall not be paid within three months after the date of the order for said opening, the court of quarter sessions of said county shall, on the application of parties entitled to the same, direct that the same be paid to such parties by the city of Lancaster and the county of Lancaster in the manner aforesaid.

Authorized to issue
bonds.

SECTION 3. For the purpose of paying the expenses of the survey and draft, the assessment of damages, and the damages awarded from time to time as the same may be required, the city of Lancaster is hereby authorized and empowered to issue bonds at such times, in such amounts, not exceeding the sum of twenty-five thousand dollars, for one year, and at a rate of interest not exceeding seven per centum per annum, and payable at such dates as may be directed by resolution of councils, and such bonds shall be free of all taxation except state tax.

Exempt from local
taxation.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 892.

A Further Supplement

To an act to incorporate the Bedford and Bridgeport Railroad Company, authorizing said company to borrow money and to consolidate its indebtedness.

SECTION 1. *Be it enacted, &c.*, That the Bedford and Bridgeport Railroad Company be and they are hereby authorized to borrow such sum or sums of money, from time to time, for their corporate purposes, as the board of directors may determine, at a rate of interest not exceeding seven per centum per annum, and issue bonds or certificates for the money so borrowed, securing the payment thereof and the interest

thereon by mortgage or mortgages of the whole or any part or parts of their lands, works, improvements, franchises and personal property now owned or hereafter acquired and owned by them; and the said company may assume the payment of any or all taxes upon the principal and interest of the said bonds, or either of them, and may agree to convert the said bonds or any of them into capital stock of the said company on such terms and at such times as the board of directors may appoint: *Provided*, That the amount of money to be borrowed under the provisions of this act shall not exceed two millions of dollars, and that the board of directors may, if they see fit, apply any part of the money so borrowed to the payment and satisfaction of any mortgage or bonds of said company heretofore given, or any debt heretofore contracted by said company.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 893.

A Further Supplement

To an act, entitled "An Act to incorporate the Lombard and South Street Passenger Railway Company," passed May sixteenth, one thousand eight hundred and sixty-one, authorizing the laying of a railway on Snyder avenue, Twelfth street, Dickinson street, Eighth street, Christian street, Fifth street, and Mifflin street, and to extend railway tracks on Front street.

WHEREAS, The inhabitants of the extreme south-western part of the city of Philadelphia suffer great inconvenience from the want of passenger railway facilities:

And whereas, Passyunk road, on which the Lombard and South Street Passenger Railway Company are authorized to lay a double track, is of sufficient width only for one track; therefore, to remedy this deficiency, and to give increased facilities:

SECTION 1. *Be it enacted, &c.*, That the Lombard and South Street Passenger Railway Company are hereby authorized to lay a railway from the intersection of Snyder avenue, (when it shall be opened,) and Passyunk road; thence along Snyder avenue to Twelfth street; thence along Twelfth street to Dickinson street; thence along Dickinson street to Eighth street; thence along Eighth street to Christian street; thence along Christian street to Fifth street; and thence along Fifth to middle of Passyunk road; and the said company is also hereby authorized to extend their railway tracks on Front street northwardly to Market street; and as Snyder avenue

is not yet opened, they are hereby authorized to lay a track on Mifflin street, from Passyunk road to Twelfth street.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 894.

A Supplement

To the charter of the Historical Society of Pennsylvania, altering and amending the same.

Name.

Privileges.

Membership.

Object.

By-laws.

Officers.

Council.

Elections.

Stockholders to
accept act.

SECTION 1. *Be it enacted, &c.,* That the name of this society shall be, as heretofore, the Historical Society of Pennsylvania, and it shall have by that name perpetual succession, with power to have a common seal, and the same to change at pleasure, to make contracts relative to the institution, to sue and be sued, and by its corporate name to be capable of purchasing, taking, holding and conveying any estate, real or personal, for the use of the society, and generally to have all the rights and incidents of a corporation.

SECTION 2. The society shall be composed of such persons as are now members thereof, and such other persons as may hereafter become members under its rules and regulations. The objects of the society shall be, as heretofore, the elucidation of history, with special reference to that of Pennsylvania.

SECTION 3. The society may establish all by-laws necessary or proper for its good government and regulation, for the management of its affairs and for the care of its property: *Provided*, That the same shall not be repugnant to the constitution and laws of the United States or of this commonwealth.

SECTION 4. The officers of the society shall be a president, six vice presidents, a corresponding secretary, a recording secretary and a treasurer. The society may by by-laws create a council to manage its business affairs. It may also abolish any of the officers hereinbefore mentioned and may create others in their room, or in addition thereto; and it may by the said by-laws prescribe the mode and time of election of all the said officers and council, and determine their respective duties; and each member of the society shall have the right to vote at elections and on all questions, either in person or proxy, as he may deem expedient.

SECTION 5. The constitution heretofore in force shall be abrogated and superseded so far as is inconsistent with the provisions of this act: *Provided*, That this act shall not be of force until accepted by a majority of the stockholders of said company at a meeting called for that purpose, or by

declaration in writing, under the hands of a majority, to be entered at large on the minutes of the society, that this act is accepted by them as members of said society.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 895.

An Act

To authorize the board of directors of the State Capital Loan and Savings Association of Harrisburg to purchase real estate securities or loan the funds of the association to persons not members thereof.

SECTION 1. *Be it enacted, &c.*, That the board of directors of the State Capital Loan and Savings Association of Harrisburg be and the same are hereby authorized to use the funds of said association not borrowed by members or stockholders thereof, in the purchase of mortgages or other real estate securities, or loan the moneys belonging to the same to persons not members or stockholders therein, upon such real estate securities as the said board of directors may deem ample and sufficient: *Provided*, The members of said association, by a majority of votes, determine so to do.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 896.

An Act

To divorce William J. Mullin from his wife, Margaret A. Mullin.

SECTION 1. *Be it enacted, &c.*, That the marriage contract entered into between William J. Mullin and Margaret A. Mullin, his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract and from all duties and obligations arising therefrom, as fully and absolutely as if they had never been joined in marriage.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 897.

A Supplement

To an act, entitled "An Act to incorporate the Steuben Insurance Company," approved the second day of April, Anno Domini one thousand eight hundred and sixty, authorizing an increase of capital stock and mode of voting, and increasing the number of directors and changing corporate title of corporation.

SECTION 1. *Be it enacted, &c.,* That the capital stock of said corporation may be increased from time to time by a vote of a majority of the stockholders, to an amount not greater than ten thousand shares of the value of fifty dollars each, and at all elections each shareholder shall be entitled to one vote for each share of the capital stock held, and said vote may be cast in person or by proxy, and the number of directors may be changed to any number not less than five or greater than twenty-five, by a vote of the majority of the stockholders, and the name of said corporation may in like manner be changed: *Provided,* That a certificate of any such change shall be so certified under seal and signature of the officers of said company to the secretary of the commonwealth within thirty days after the passage of the same: *And provided further,* That in all other things said corporation shall be subject to the restrictions and provisions of the act approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, providing for the incorporation of insurance companies.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 898.

An Act

To prevent cattle and other animals from running at large in certain townships of Lycoming county.

Certain animals
not to run at large.

SECTION 1. *Be it enacted, &c.,* That from and after the passage of this act, it shall not be lawful for horses, cattle, sheep, swine and mules to run at large in the townships of Fairfield, Loyalsock, Old Lycoming, Woodward, Armstrong, Susquehanna, Piatt, Porter and Nippenose, in the county of Lycoming, under a penalty of ten (10) dollars, to be recovered from the owners of such animals before a justice of the peace as debts of a like amount are by law recoverable; the recovering

Penalty.

of said penalty to no bar to a recovery by the owner of real or personal property for the damages sustained by reasons of said animals running at large.

SECTION 2. One-half of the penalty provided for in the first section of this bill shall go to the informer, and the other half to the overseers of the poor of the townships for the use of the poor. How appropriated.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 899.

A Supplement

to an act to revise and amend the health laws of the city of Pittsburg, approved the twelfth day of April, Anno Domini one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c*, That if any person or persons shall refuse or neglect to comply with the provisions of section twenty-seven of the act to which this is a supplement, they shall be subject to a fine of not less than ten dollars and not more than fifty dollars, and to a like fine for every week until the same shall be complied with after the first conviction. Penalties for neglecting to provide dwellings with drains and privies.

SECTION 2. That the meat inspector is hereby authorized to brand with the letter C all animals condemned by him as being unfit for food; and he is further authorized whenever he finds any animals offered for sale unfit for food, under the provisions of the act to which this is a supplement, to seize the same and expose them for sale to persons who will use them for other purposes than for food, and the excess of the proceeds of such sale, after paying all expenses, shall be paid to the owner. Meat inspector authorized to brand condemned animals.

SECTION 3. That in addition to the duties of the meat inspector, as prescribed in this act and the act to which this is a supplement, it shall be his duty to inspect all dairies and the cattle therein, and all milk that may be offered for sale in the city of Pittsburg. Seize and sell animals unfit for food.

SECTION 4. That it shall be the duty of the board of health to make a complete registration of all dairies and milk depots in the city, and to require the names of the owners of the different dairies, or of the persons dealing in milk, to be legibly placed upon each vehicle used for the conveyance of milk; and any person or persons refusing or neglecting to place their name on said vehicles as aforesaid shall be liable to a fine of not less than five dollars nor more than twenty dollars. To inspect dairies.

Board to make registration of dairies and milk depots. Names of milk dealers to be placed on vehicles.

Penalty for selling adulterated milk, or milk from diseased cows.

SECTION 5. That it shall be unlawful for any person or persons to offer for sale any milk adulterated with water or other substances, or any milk from diseased cows; and if any person or persons shall violate any of the provisions of this section, they shall be liable to a fine of not less than five nor more than fifty dollars.

Meat inspector to have fifth section enforced.

SECTION 6. That it shall be the duty of the meat inspector to see that the provisions of the foregoing section are properly enforced, and for that purpose he shall have the right at all times to enter all places where milk may be sold, or stop any vehicle used in conveying the same, and cause a sample to be analyzed.

Additional fine for violating certain sections.

SECTION 7. That in addition to the fines mentioned in sections one, four and five of this act, any person or persons violating the same shall be deemed guilty of a misdemeanor, and upon conviction thereof be liable to a fine of not less than twenty nor more than one hundred dollars.

Fines and penalties to be for use of board.

SECTION 8. That all fines and penalties mentioned in this act and the act to which this is a supplement shall be for the use of the board of health, and upon non-payment of the same a *capias ad satisfaciendum* may issue.

Official terms of health officers, meat inspector, &c.

SECTION 9. That from and after the passage of this act the official terms of the health officers, assistant health officer, physician to the board of health, meat inspector and registration clerk of said board of health, shall be for three years.

To apply to officers elected February 1, 1873.

SECTION 10. That the provisions of the foregoing section shall apply to the said officers who were elected on the first day of February, Anno Domini one thousand eight hundred and seventy-three.

Board to adopt seal.

SECTION 11. That the said board of health shall design and adopt a common seal, and alter and change the same at pleasure, which shall be used upon such official documents as the regulations of said board may require.

Make rules and regulations.

SECTION 12. That the said board of health shall make such rules and regulations as may be necessary for carrying the provisions of this act into effect.

Repeal.

SECTION 13. That all laws or parts of laws inconsistent herewith be and the same are hereby repealed.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 900.

A Supplement

To an act to authorize the trustees of the Franklin Land Company to make exchange of certain lots of ground, approved twenty-seventh January, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That the trustees, or a majority of them, of the Franklin Land Association, be and they

are hereby authorized to convey two certain lots of ground held by them in trust for public purposes, one of which is mentioned in the act to which this is a supplement, to the city of Philadelphia, instead of to the directors of the public schools of the twenty-fifth section, as therein provided.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 901.

A Further Supplement

To an act, entitled "An act to incorporate the Wilkes Barre Water Company," approved the twelfth day of February, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted, &c.*, That if any person or persons shall, without authority from the said company, open any communication with the pipes or mains of the said company, or extend any pipes or opening already made, or shall turn the water on after the same shall have been turned off by the authority of the said company, or shall open, injure or use any fire hydrant, except in case of fire, or shall bathe, wash, swim in, or otherwise contaminate the water in any dam, pond, pipe, reservoir, channel or stream leading thereto of the said company, such person or persons shall be liable to a penalty of not less than twenty-five or over one hundred dollars, to be sued for in the name of and for the use of said company in an action of debt, and collected in the manner that debts of a like amount are collectible at law; and the said person or persons so offending shall also be liable to a criminal prosecution in the name of the commonwealth, and upon conviction subject to a fine and imprisonment in the county jail, in the discretion of the court trying the same, of not less than ten days or more than two years. They shall further be liable for any damage they may cause to the said company or any other person.

Penalties for opening communication with pipes, injuring works, &c

SECTION 2. That the said water company may make and enforce such rules and regulations as to the payment of rates semi-annually, in advance, or penalties for delay of payment of rates in advance or otherwise as they may deem proper.

May make rules as to payment of rates.

SECTION 3. That so much of the eleventh section of the act of which this is a supplement, as requires the issue of a separate certificate for each share of stock held in said company, and so much of the seventeenth section of the said act as relates to a preference in favor of the citizens residing within the old borough limits, in case of a scarcity of water, be and the same are hereby repealed, and that hereafter any share-

Certificates of stock and scarcity of water, relative to.

holder may have one or more certificates for his full paid stock, and the citizens of the entire city placed upon an equality in the event of a failure of a full supply of water.

Repeal.

SECTION 4. Any parts of the act to which this is supplemental that are hereby altered or supplied, or are inconsistent with this act, are hereby repealed.

APPROVED—The 19th day of April. A. D. 1873.

J. F. HARTRANFT.

No. 902.

An Act

To incorporate the Hanover and York Railroad Company.

Commissioners.

SECTION 1. *Be it enacted, &c.,* That George D. Klinefelter, William Young, Sr., Edward H. Etzler, Samuel Shirk, H. M. Smuck, David S. Tanger, B. F. Carver, William J. Young, Michael A. Etzler, John S. Young, P. H. Gladfelter, Samuel Bechtol, David P. Forney, M. B. Spahr, Michael Schall, J. W. Latimer, W. H. Jordan, W. Latimer Small, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Hanover and York Railroad Company, with all the powers and subject to all the restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine, and its supplements, except so far as may be changed by this act.

Title.

Subject to.

Capital stock.

SECTION 2. The capital stock of said company shall be two hundred and fifty thousand dollars, (\$250,000,) divided into five thousand shares of the par value of fifty dollars each: *Provided,* That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock as much as may be in their opinion necessary to complete and equip the road and carry into effect the true intent and purposes of this act, not exceeding thirty thousand dollars per mile.

Authorized to construct road.

SECTION 3. Said corporation shall have power to construct a railroad with single or double track, beginning at or near the borough of Hanover, and running thence by such route as the directors shall deem best and most conducive to the public welfare, to a point at or near the borough of York, and shall have power to build branch roads, not exceeding ten miles in length, to cross other railroads at grade and to connect with any other railroad now built or that may be hereafter built in York county.

Build branches

Cross and connect with other roads.

May borrow money and issue bonds.

SECTION 4. Said company shall have power to borrow money not exceeding the amount of the capital stock, and to

issue bonds therefor, either upon coupon or registered, at a rate of interest not exceeding seven per cent. per annum, in such denominations and for such a length of time as the board of directors may determine, and to sell the same on such terms as may be deemed advisable by the board, and to secure the payment of the same by a mortgage of the property and franchises of the company.

SECTION 5. Whenever forty per centum of the capital stock shall have been subscribed and one dollar per share paid in on each share subscribed for, then letters patent may issue according to the provisions of the act of February nineteenth, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act regulating railroad companies." Letters patent.

SECTION 6. Said railroad shall be commenced within one year and completed within three years from the time of the passage of this act, and this charter shall continue for twenty years. Commencement.
Limitation.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 903.

An Act

Authorizing and directing the purchasing, planting and protecting of shade trees on Liberty avenue, and other avenues and streets in the city of Pittsburg, being a supplement to an act, entitled "An Act for the improvement of Penn avenue and other avenues and streets in the city of Pittsburg.

SECTION 1. *Be it enacted, &c.,* That it shall be the duty of the commissioners elected, or about to be elected under said act, and who shall have the charge and control of the grading, paving and curbing of the same, and after that duty shall be performed, it shall be the duty of the city of Pittsburg to take charge of and care of and protect said trees, and prescribe by ordinance, suitable penalties by fine and imprisonment for injury or damage to the same. Duty of commissioners.

City to take charge of and protect trees.

SECTION 2. That the commissioners elected, or who may hereafter be elected, for the improvement of any other avenue and street, not less than sixty feet in width, under the act to which this is a supplement, shall have all the rights and powers granted and conferred on the commissioners of Liberty avenue, as set forth in the first section of this act, subject, however, to the approval of the councils of the city of Pittsburg. Powers, &c., of commissioners for improvement of other avenues.

APPROVED—The 18th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 904.

An Act

Authorizing the borough of Verona, in the county of Allegheny, to open any part or parts of streets.

SECTION 1. *Be it enacted, &c.*, That the burgess and town council of the borough of Verona are hereby authorized to open any part or parts of any street included in the general plan of said borough, approved by council, September eleventh, one thousand eight hundred and seventy-two, and they are hereby authorized and empowered to pass such ordinances or resolutions as may be necessary to carry this act into effect: *Provided*, That nothing herein contained shall affect or impair the rights of any person who has applied for damages sustained by reason of the adoption of said general plan: *And provided further*, That in all cases where damages have been assessed in favor of any property owner or owners, or where any application for the assessment of damages has been made by any person or persons through whose property any street is or has been laid out or opened, under said general or any other plan, or by virtue of any borough ordinance or ordinances, the said damages so assessed or to be assessed, shall be paid by said borough, or by whomsoever may be required to pay the same, within one year from the filing of the report of viewers appointed to assess said damages; and in default of the payment thereof, the said general or other plan, and do said street or streets, or parts thereof, shall be and are hereby vacated and declared to be abandoned, and said ordinance or ordinances shall be null and void.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 905.

An Act

To incorporate the Farmers' and Mechanics' Land Association of Pittsburgh.

Corporators.

SECTION 1. *Be it enacted, &c.*, That J. Ludwig Keothen, H. Borntrager, John M'Keefer, William Johnson, Joseph Weicksel, Thomas M'Neil, Alexander Frew, G. Ludewig, William M'Cleery, George M'Candless, William Miller, David Mitchell, and their associates and successors, be and they are hereby created a body corporate and politic, by the name, style and title of the Farmers' and Mechanics' Land Association of

Title.

Pittsburg, and by that name and title shall have perpetual succession, and may sue and be sued in any court whatsoever; may have and use a common seal, and may change or alter the same at pleasure; may make such by-laws and regulations for the government of said corporation as they may deem proper and necessary, not inconsistent with the laws of this state or of the United States. Privileges.

SECTION 2. That the said corporation shall have power to purchase, acquire and hold by any lawful means, estate, real, personal or mixed, in the county of Allegheny, and to use, improve, lease, mortgage, sell, transfer and convey, and to otherwise encumber or dispose of the same, as in the judgment of the stockholders or the directors thereof may be proper and judicious. Powers.

SECTION 3. That the capital stock of said corporation shall be two hundred and fifty thousand shares, to be divided in one thousand shares of two hundred and fifty dollars each, with the privilege to increase the same to one million dollars, shares of same value, which capital stock shall be paid in in such proportions, installments, as the said directors of said corporation shall from time to time determine: In case of increase of capital stock, the additional shares shall be disposed of among the stockholders in proportion to the amount of stock each one may have, but if said stockholders shall fail on ten days' notice thereof to take the same, then the directors may sell or dispose of the said stock as in their judgment may be proper at not less than its par value; when said stock shall have been paid up it shall not thereafter be subject to any assessments. Capital stock.

SECTION 4. That the said corporation shall have power to elect a president and such other officers as it may deem necessary to the proper and successful carrying on of the business, and shall have power to fix the salaries thereof and the terms of their respective offices, and may increase or diminish by a majority vote of the stockholders the number of its directors. It shall also have power to fix the time and place of holding its election. Officers.

SECTION 5. That the office of said corporation shall be in the city of Pittsburg. Office.

SECTION 6. That said corporation shall pay into the treasury of this commonwealth such bonus and taxes as are now or hereafter may be required by law. Bonus and taxes.

APPROVED —The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 906.

An Act

To incorporate the Enterprise Trading Company of the city of Altoona, Pennsylvania.

Corporators.	SECTION 1. <i>Be it enacted, &c.,</i> That T. Blair Patton, W. D. Couch and G. C. Smith, of Altoona, Pennsylvania, George W. Sellers, of Hollidaysburg, Pennsylvania, and Israel C. Caldwell, of the city of Philadelphia, or a majority of them, are hereby empowered, from and after the passage of this act, to establish and organize an incorporated company by the name and title of the Enterprise Trading Company, with the principal office at Altoona, Pennsylvania; such incorporators or a majority of them to have power to substitute other persons or names to fill any vacancy that may occur, by any of those herein named failing to appear at the proper time and assist in organizing said company as herein provided for, or to fill vacancies that may occur by the resignation of any of the parties herein above named; such incorporators and their successors and those who may be hereafter associated with them be and they are hereby created and constituted a body politic in deed and in law, and shall be for the term of twenty years, and be able to sue and be sued, to plead and be impleaded in any court of law and equity.
Title.	
Office	
Vacancies in corporators.	
Limitation.	
Privileges.	
Purpose.	SECTION 2. The purpose for which said company or corporation is formed, is to do business as a general agency for the sale of the Bles sewing machines, and shall have power to buy and sell the same either at wholesale or retail, and shall also deal generally in sewing machines, attachments and findings, as the board of directors hereinafter provided for may deem necessary for the successful prosecution of the business of said company; and for the successful carrying on of their business, said corporators shall have power and they are hereby authorized to create a capital stock of the amount of fifty thousand dollars, which shall be divided into shares of twenty-five dollars each, with the privilege of increasing said capital stock to any amount not exceeding one hundred thousand dollars, and to issue certificates of stock therefor in such way and in such terms and conditions as may be decided upon by said board of directors, such certificates of stock to be signed by the president and treasurer, and attested by the secretary of the company, under the corporate seal, which seal said board of directors shall provide and adopt.
Capital stock.	
Certificates.	
Directors.	SECTION 3. Said corporators and their successors shall be constituted and deemed a board of directors, who shall have sole power to manage the affairs of the company, with authority to make and perfect contracts, bargains and agreements, as the interest of the company may require; <i>Provided</i> , That the whole amount of debts of said company shall not, at any time, exceed three-fourths of the available assets of said com-
Debts limited.	

pany, except as provided for in the statute laws of this state; and said company shall be liable to the provisions of all the trading laws of this state: *And provided further*, That said company shall not purchase or hold more real estate than may be required for their own use; such real estate investments not to exceed twenty-five thousand dollars at any one time.

Liable to trading laws.

What real estate may be held.

SECTION 4. Said corporators and directors shall meet in the city of Altoona, Pennsylvania, within thirty days from the passage of this act, and organize by electing one person to act as president, one as vice president, one as treasurer, one as secretary, and one as assistant secretary, all of which shall be of their own number; it is also provided that no stockholder shall be individually liable for any debt of said company aside from the stock they may hold in said company.

Organization.

SECTION 5. Said board of directors, their associates and successors, shall have power to make and adopt such by-laws as may be deemed by them necessary for the management of the company, and to alter or amend the same by a two-third vote of the stock represented at any regular stated meeting, and shall also have power to fill by appointment any vacancy in said board that may occur by death, resignation or otherwise.

By-laws.

Vacancies in directors.

SECTION 6. Said board of directors shall serve for the term of one year from the organization of said company, or until their successors shall have been elected, and in like manner their successors shall each for the aforesaid term be elected every year to serve for a similar term of one year, and it shall also be the duty of said board of directors and their successors to call a meeting of the stockholders of said company, and to hold an election for directors as their successors at least one week previous to the expiration of their term. Every stockholder shall be entitled to one vote for each share of stock held; said stock may be voted either in person or by proxy: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law, and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Terms of directors.

Election.

Bonus and taxes.

Individual liability.

APPROVED—The 19th day of April, A. D. 1873.

J. F. HARTRANFT.

No 907.

An Act

Relating to the proposed widening of the Delaware avenue, from Dock street to Shackamaxon street, in the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That whenever and so soon as any increase of the width of Delaware avenue, between Dock and Shackamaxon streets, shall have been ordered by the councils of the city of Philadelphia, the said Delaware avenue, within the limits aforesaid, shall, without any further proceeding in reference thereto, be deemed and taken to be to such increased width, a public street or highway of the city of Philadelphia, and the chief commissioner of highways of the said city shall forthwith proceed to open the said Delaware avenue to the full width thereof; and either the city of Philadelphia or the owners of any private property actually taken or proposed to be taken for the said widening, may petition for the appointment of viewers to assess damages for the actual or proposed taking of such property for such widening; and all such assessments shall conform to the existing law in reference to the assessment of damages for the opening of streets laid down on the public plans of the city of Philadelphia.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 908.

An Act

Authorizing and directing the commissioners of highways of the city of Philadelphia to open and lay out Columbia avenue, from Lancaster avenue to Old Lancaster road, in the Twenty-fourth ward, and to assess the damages thereon.

SECTION 1. *Be it enacted, &c.*, That the commissioners of highways of the city of Philadelphia, be and they are hereby directed to have Columbia avenue, from Lancaster avenue to Old Lancaster road, in the Twenty-fourth ward, within sixty days after the passage of this act, opened as a public highway, and the damages, if any, shall be assessed according to law; and immediately upon the report of the jury appointed to assess the damages, the said commissioners of highways shall proceed to open said avenue.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 909.

An Act

Authorizing the court of common pleas of Berks county to grant charters of incorporation to building and savings associations, in which the shares shall not exceed the par value of five hundred dollars, and validating certain charters heretofore granted.

SECTION 1. *Be it enacted, &c.*, That the court of common pleas of the county of Berks, be and are hereby authorized and empowered to grant charters of incorporation to building and savings associations in said county, the capital stock of which shall not consist of more than two thousand shares, and the par value of each share not to exceed five hundred dollars; and any charters heretofore granted by said court in which shares have been issued, exceeding in value the sum of two hundred dollars, are hereby validated.

APPROVED—The 22d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 910.

An Act

To vacate private alley in the city of Reading, Berks county, Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That the private alley, extending from Sixth street to Church street, between Walnut and Elm streets, in the city of Reading, at a distance of eighty feet south of the southern line of said Elm, and parallel thereto, between the properties of James T. Reber, on the south, and Garrett B. Stevens, Jesse Eaches, Catharine Whitman, Solomon Boynton, Lewis Eckenroad, H. S. Getz, Wm. Zacharias, Dan. Windbigler, Eliza B. Mason, K. A. Markley, B. Barto and C. Wall, north of said alley, which alley was opened by agreement of the parties on the north of said alley, and entirely upon their property, be and the same is hereby vacated.

APPROVED—The 22d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 911.

A Supplement

To an act to incorporate the Iron Bank of Phoenixville, approved the fourth day of May, Anno Domini one thousand eight hundred and seventy-one, authorizing the payment of deposits and interest thereon to married women and minors, and correcting a clerical error in the original act.

Deposits by minors
and married wo-
men.

SECTION 1. *Be it enacted, &c.*, That the said bank shall have power to pay on application the check, proper receipt or order of any minor or married woman, such money as such minor or married woman shall have deposited to his or her credit, and also any interest or dividend accruing on such deposit without the assent, concurrence, approval or interference of the parent or guardian of such minor, or of the husband of such married woman, or of the creditors of such husband; and no creditor or creditors of the husband of such married woman shall attach or interfere with, by levy or otherwise, any deposit made by her, or with the interest or dividend due or becoming due on such deposit; and every payment so made to such depositor shall be good and valid, notwithstanding the infancy or coverture of the depositor: *Provided however*, That the provisions of this act shall not apply to the deposits of the husband made in the name of the wife in fraud of the creditors of the husband, in case notice of the fraud be given to the bank prior to such deposit or interest being paid out; nor shall said provisions apply to any moneys of a minor, other than the earnings of his personal labor or industry, wherever he has a guardian legally authorized to take charge of the same, who shall assume such charge and make claim of the bank before the payment to the minor of the money deposited.

Capital stock.

SECTION 2. The second section of the act to which this is a supplement is hereby amended, so as to read as follows, viz: The capital stock of said bank shall be fifty thousand dollars, with the privilege of increasing the same to three hundred thousand dollars, to be divided into shares of fifty dollars each, which shall be paid in within one year from the time of such increase: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best, at a price not below par value.

APPROVED—The 22d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 912.

An Act

To establish a board of health for the city of Reading, in the county of Berks and commonwealth of Pennsylvania.

SECTION 1. *Be it enacted, &c.,* That from and after the second Monday in March next, a board of health shall be established in and for the city of Reading, in the manner hereinafter directed, which shall be and hereby is erected in a body corporate in deed and in law, by the name, style and title of the board of health of the city of Reading, who shall have perpetual succession and enjoy all and every the rights and liberties, privileges, powers, authorities and immunities incident or belonging to a corporation or body politic, and by that name shall have and exercise the powers and authorities hereinafter mentioned.

Board to be established.

Incorporated.

Title.

Privileges.

SECTION 2. That the members of the said board of health shall be seven in number, who shall serve without compensation or emolument, and shall be appointed in the manner following, to wit: The president of select and common councils of the city of Reading, or in the event of their failing to agree, the mayor of the city shall on or before the last Monday in April next, appoint one citizen from that part of the city of Reading lying north of Penn street and east of Sixth street; one citizen from that part of the city lying north of Penn street and west of Sixth street; one citizen from that part of the city lying south of Penn street and west of Sixth street, and one citizen from that part of the city lying south of Penn street and east of Sixth street, and one citizen from the city at large. The persons thus appointed shall select the other two, who shall be physicians of good standing, all of whom shall constitute the said board of health, a majority of whom shall constitute a quorum, and before entering upon the duties of their office, shall be sworn to perform the same with fidelity; *Provided*, That no member of said board of health shall be a member of the councils of said city. The number of years for which any individual may be eligible as a member of the said board of health shall not be limited. In case of the removal, death, sickness, resignation, inability or refusal to serve of the members of said board of health, their places shall be supplied by other appointments to be made by the same authority. The said board of health shall annually on the last Monday in April choose a president out of their own body, who shall preside at the meetings of the said board of health, and whose place shall be filled in his absence by the appointment of a chairman for the time. The said board of health shall also choose a secretary not out of their body, at a salary to be fixed by the said board of health, whose duty it shall be to keep fair minutes of all the proceedings, rules, regulations, transactions and business of

Members, number and appointment of.

To be sworn.

Not to be councilmen.

Vacancies.

President.

Secretary.

Meetings.

the said board. The said board shall sit upon their own adjournment as they shall find necessary, but shall meet at least once in every week, and also when the board shall be specially convened by the order of the president or any two of the members.

Health commissioner, appointment of, &c.

SECTION 3. That the said board of health shall immediately upon being organized, and annually thereafter, appoint a citizen of said city who shall be the health commissioner of said city, whose compensation shall be fixed by the select and common councils in accordance with the provisions of the charter of said city, and whose duty it shall be to perform all such services as may be required and in the manner it may be required of him by the said board of health, and shall attend all meetings of said board.

Board to present estimate to councils.

SECTION 4. That it shall be the duty of the said board of health to act strictly in accordance with section fifty-four of the city charter act of year one thousand eight hundred and sixty-four, and to present their estimate of the amount that, in their judgment, will be required during the current fiscal year for the public service in their department to the city councils for approval or rejection; and all funds appropriated by the said councils for that purpose shall be paid in the same manner as other bills are paid, after having passed the approval of the proper committee.

How appropriations to be paid.

Powers and duties of board.

SECTION 5. That the said board of health shall have power, and it shall be their duty, to make all needful rules and regulations to prevent the introduction and spread of infectious and contagious diseases, by the regulation of intercourse with infected places, by the arrest, separation and treatment of infected persons, and persons who shall have been exposed to any infectious or contagious disease, and by abating and removing all nuisances which they shall deem prejudicial to the public health; to enforce vaccination, to mark infected houses or places, and to make all such other regulations as they shall deem necessary for the preservation of the public health.

May establish hospitals.

SECTION 6. That the said board of health shall also have power, by and with the consent of councils, in case of the prevalence or reasonable ground to apprehend the prevalence of any contagious or infectious disease in the city of Reading, to establish hospitals, one or more, as they shall deem circumstances to require, and to make provision and regulations for such hospitals.

Duty of physicians

SECTION 7. It shall be the duty of all physicians practising within said city to report to the secretary of the said board of health the name and residence of all persons coming under their professional care afflicted with such contagious or infectious disease as the said board may in their rules and regulations designate, under a penalty of not less than twenty-five dollars nor more than one hundred dollars.

Board may enter on premises to examine and abate nuisances.

SECTION 8. Said board of health shall have power, as a body or by committee, as well as the health commissioner, together with his subordinates, assistants and workmen, under and by order of the said board, to enter at any time upon any premises in the said city of Reading upon which there is

suspected to be any infectious or contagious disease or nuisance detrimental to the public health, for the purpose of examining and abating the same; and all orders for the removal of nuisances, and other purposes, issued to the said health commissioner by order of the said board attested by the secretary, shall be executed by him and his subordinates and workmen, under a penalty of not less than twenty dollars, nor more than one hundred dollars. The expenses attending the removal of nuisances by order of the said board of health, shall be recovered by a suit in the name of the said city, against the person or persons creating, maintaining or refusing to abate such nuisances, and judgment obtained therein may be enforced by *capias ad satisfaciendum* against the body of such defendant, if goods, chattels, lands and tenements of such person and persons, defendant and defendants, cannot be found sufficient to satisfy the same.

Health commissioner to execute orders of board.

How expenses of removing nuisances to be recovered.

SECTION 9. Said board of health, or the said health commissioner, by the direction of the said board, shall employ all such persons as may be necessary to enable them to carry into effect the provisions of this act, and the rules and regulations; the said board shall adopt and fix the compensation of such persons employed; the expenses to be incurred by said board in the execution of their duties, shall be paid by the said city in accordance with section four of this act.

May employ persons to carry act into effect.

How expenses to be paid.

SECTION 10. It shall be the duty of said board to report to said councils the sanitary condition of said city, and such other matters as said councils may request, at least every three months, or oftener if required by said councils.

To report to councils.

SECTION 11. Said board of health shall have power to cause registration to be made of all deaths, and the causes thereof, and burials of deceased persons, occurring within said city, and to enforce obedience to all such rules and regulations concerning such registrations, by imposing upon all physicians, undertakers, sextons and other persons violating any such rules or regulations, a penalty of ten dollars for every such violation.

May cause registration of deaths and burials to be made.

SECTION 12. No person shall be permitted to clean any cess-pool in said city, without first procuring a license for that purpose from the said board of health, under a penalty of not less than five dollars, nor more than fifty dollars.

Persons not to clean cess-pools without license.

SECTION 13. Every person, persons, body or bodies corporate who shall violate, or refuse, or neglect to obey any regulations or order made by the said board of health, in pursuance of the powers conferred by this act, shall forfeit a penalty of not less than ten, nor more than one hundred dollars; and all penalties herein mentioned shall be recovered as debts of like amount are by law recoverable, in the name and for the use of the city of Reading; and judgment so obtained may be enforced by *capias ad satisfaciendum*, if goods and chattels, lands and tenements of such defendant or defendants cannot be found sufficient to satisfy the same.

Penalties for violating regulations of board.

How recoverable.

SECTION 14. Every person who shall wilfully and knowingly obstruct or resist the said board of health, or any of the members thereof, or the said health commissioner, or the subordinates, assistants and workmen of said health commis-

Penalties for obstructing board in performance of duties.

sioner, or any person by the said board of health appointed, in the execution of the powers to them given, or in the performance of the duties enjoined upon them by this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to pay a fine not exceeding one thousand dollars, and imprisonment not exceeding one year, or both or either, at the discretion of the court.

Board to publish regulations.

SECTION 15. Said board of health shall publish from time to time all such regulations as they shall have adopted, in such manner as to secure early and full publicity.

President, commissioner and secretary may administer oaths.

SECTION 16. The president, health commissioner and secretary of the said board of health shall have full power to administer oaths in all proceedings and investigations before the said board.

Repeal.

SECTION 17. That all acts or parts of acts inconsistent with this act are hereby repealed.

APPROVED—The 22d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 913.

An Act

Supplemental to an act to incorporate the Berks County Railroad Company, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

May construct road on certain streets in Reading city.

SECTION 1. *Be it enacted, &c.,* That the Berks County Railroad Company be and they are hereby authorized to construct any portion of their road on Front street and Canal street, in the city of Reading, and for this purpose the said company shall have the right and power to lay out and construct along and over said streets on the eastern side thereof a single track railroad, with the necessary turn-outs and switches, and to cross any other railroad or sidings on or along said streets at grade: *Provided,* That if the consent of the city councils of Reading has not already been obtained, then the consent of said councils shall be first had before the said company shall occupy said street as aforesaid.

Consent of councils to be obtained.

May connect with branch of Wilmington and Reading railroad.

SECTION 2. That the said Berks County Railroad Company be and are hereby authorized to connect with a branch of the Wilmington and Reading railroad, at any point between the city of Reading and the borough of Birdsboro', and when such connection is made it shall be optional with said company thereafter to extend their said road to Birdsboro'.

Repeal.

SECTION 3. That all laws, acts and parts of acts inconsistent herewith be and the same are hereby repealed.

APPROVED—The 22d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 914.

An Act

Relative to the Pennsylvania Salt Manufacturing Company incorporated in accordance with the provisions of the general act, approved April seventh, Anno Domini one thousand eight hundred and forty-nine, authorizing an increase of capital stock of said corporation, and also authorizing dividends to be made payable in stock.

SECTION 1. *Be it enacted, &c.*, That the capital stock of said corporation may be increased from time to time by a vote of stockholders, to an amount not exceeding forty thousand shares of fifty dollars each, and the payments upon the same shall be made in such installments as the board of directors may determine, and they may declare at any time out of the earnings, dividends payable in stock: *Provided*, That the amount shall not exceed the capital herein authorized.

APPROVED—The 22d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 915.

An Act

To provide for the examination of the claims of Emanuel Peters.

WHEREAS, By sundry acts of assembly, the North Philadelphia Passenger Railway Company were authorized and empowered to build and construct a passenger railway on North Broad street, in the city of Philadelphia:

And whereas, Said company employed Emanuel Peters to build and construct said railway under said authority, and the said Peters thereupon and on the faith of said acts of assembly, performed much labor and expended large sums of money in building said railway:

And whereas, After the said labor had been so performed and said money so expended, the legislature repealed all acts authorizing the construction of said railway without making any provision for reimbursing the said Peters for his labor and money spent; now therefore,

SECTION 1. *Be it enacted, &c.*, That the auditor general, state treasurer and secretary of the commonwealth are hereby authorized and directed to take proof of any and all labor performed, and money spent and loss incurred in any way by the said Emanuel Peters, in or about the building and construct-

ing of the said railway for the North Philadelphia Passenger Railway Company in the city of Philadelphia, and determine the amount of labor so performed, and money and loss so expended and incurred by him, said Peters, and report the testimony and statement of the claim to the next legislature.

APPROVED—The 23d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 916.

An Act

Relating to auctioneers in the county of Crawford.

First section of act
of April 5, 1855,
repealed.

SECTION 1. *Be it enacted, &c.,* That the first section of an act approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-five, entitled "A supplement to an act, entitled 'An Act to authorize the appointment of an auctioneer in Clinton county and in the borough of Meadville, Crawford county,' passed the thirtieth day of March, one thousand eight hundred and fifty-four," be and the same is hereby repealed, and that the goods, wares and merchandise authorized to be sold by auctioneers under the provisions of said bill, and its supplement or supplements, shall be confined to the ordinary and usual stocks of resident merchants and manufacturers or dealers, who shall have been in business as such, at the place of sale in said county at least twelve months, and the provisions of the various acts in relation thereto shall authorize a sale by the auctioneer or auctioneers appointed under their provisions, from such ordinary and usual stock or stocks, for the purpose of closing out or reducing the same, but not oftener than twice in any period of one year; and no such auctioneer or other person shall import or cause to be imported from any place without the limits of the county of Crawford, any goods, wares or merchandise of any description, either directly or indirectly, for the purpose of exposing the same to sale at auction in said county; nor shall any such auctioneer knowingly sell by himself or agent any goods, wares or merchandise so imported for the purpose of being so exposed to sale at auction; and any person or persons convicted in the courts of quarter sessions of Crawford county of violating the provisions of this act shall be sentenced to pay a fine of not less than fifty nor more than three hundred dollars at the discretion of the court.

What goods may
be sold by auc-
tioneers.

Not to import
goods for sale.

Penalty for selling
imported goods.

Not to interfere
with or prevent
certain sales.

SECTION 2. The provisions of the acts relating to auctioneers in said county of Crawford shall not be construed to interfere with sales at auction by any person in said county, or his agent, who may decline business or housekeeping, or of articles manufactured or produced by the person so selling,

nor shall it prevent sales by any sheriff, coroner, constable, executor, administrator or guardian, or any proper officer, trustee or person acting in a fiduciary capacity, or affect in any way their rights or duties in relation thereto.

APPROVED—The 23d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 917.

A Supplement

To the act incorporating the Two Lick Navigation and Improvement Company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy.

WHEREAS, The Indiana Lumber Company and other parties are engaged in lumbering on Two Lick creek, in Indiana county, Pennsylvania :

And whereas, A great quantity of timber and saw-logs are in and to be put in said stream, to be floated to the saw-mills of the said Indiana Lumber Company :

And whereas, A considerable loss was sustained during the freshet in said stream in January last, by there not being a sufficient boom across said stream to stop and detain the logs and timber desired ; therefore,

SECTION 1. *Be it enacted, &c.*, That the Two Lick Navigation and Improvement Company be and they are hereby authorized and empowered to erect and maintain on Two Lick creek, at or near the saw-mills of the Indiana Lumber Company, such boom or booms, with piers, as may be necessary to detain and secure at said saw-mills all saw-logs and timber cut, put in and floated on said creek, for the use of and to be manufactured at said saw-mills: *Provided*, That should any logs or timber intended for a market below said saw-mills be conducted or floated into the boom or booms hereby authorized, the said Two Lick Navigation and Improvement Company shall turn the same out as soon as practicable thereafter at their own expense and allow them to pass down said creek if required by the owner of said logs and timber so to do.

APPROVED—The 23d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 918.

An Act

To annul the marriage contract between Mary Wood and Henry Wood.

WHEREAS, Such unhappy differences have from time to time arisen, and such bitter animosities been engendered between Henry Wood, of the city of Philadelphia, and Mary, his wife:

And whereas, Said parties on the fourth day of May, Anno Domini one thousand eight hundred and sixty nine, mutually separated, and since that date have lived entirely apart from each other, and so radical are their differences that there is no reasonable prospects of their adjustment; therefore,

SECTION 1. *Be it enacted, &c.*, That the marriage contract entered into between Mary Wood and Henry Wood, her husband, be and the same is hereby annulled and made void to all intents and purposes, and the said parties released, set free, and discharged from said contract, and the duties and obligations thereunder, as fully, effectually and absolutely, as if said contract had never been made, the courts of justice having no jurisdiction in the premises.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 919.

A Supplement

To an act to incorporate the North Branch Passenger Railway Company of Philadelphia, approved tenth April, Anno Domini one thousand eight hundred and fifty-eight, repealing restrictions as to duration of charter and limitation of time of completion, contained in ninth section of said act.

SECTION 1. *Be it enacted, &c.*, That the ninth section of an act, entitled "An Act to incorporate the North Branch Passenger Railway Company of Philadelphia," be and the same is hereby repealed, and all laws inconsistent therewith are hereby repealed.

APPROVED—The 21st day of April, A. D. 1873.

J. F. HARTRANFT.

No. 920.

An Act

To divorce Benjamin Pickett and Jennie, his wife.

SECTION 1. *Be it enacted, &c.*, That the marriage contract heretofore made between Benjamin Pickett and Jennie, his wife, be and the same is hereby annulled and made void and the parties released therefrom as if they had never been married, the courts of justice having no jurisdiction in the premises.

APPROVED—The 23d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 921.

An Act

Regulating the collection of school and poor taxes in White township, Indiana county.

SECTION 1. *Be it enacted, &c.*, That the treasurer of the school fund of the township of White, in the county of Indiana, shall, after having received his duplicate from the board of school directors of said township and given bond and been otherwise duly qualified to act as such treasurer as under existing laws, attend at some specific place in said township or in the borough of Indiana, not less than two days in the months of September or October, or either of them, of each and every year hereafter, and then and there receive from the persons named in his duplicate the amount of tax wherewith each stands therein respectively charged, and of which time and place the said treasurer shall give notice by publication in two newspapers, published in the said borough, for two successive weeks prior to the time of the said meeting.

Duties of treasurer of school fund.

SECTION 2. In case any of said taxes are unpaid on the first day of December of each and every year hereafter, it shall be the duty of the said treasurer to issue his warrant under his hand, accompanied with a schedule of all such unpaid taxes and the names of the persons against whom the same are charged, directed to the constable of said township, whose duty it shall be to receive the same under the penalty of fifty dollars, to be recovered for the use of the said school district as debts of like amounts are now by law recoverable, authorizing and requiring said constable to demand and receive from the per-

To issue warrant to constable to collect unpaid taxes.

sons named in said schedule the amount of taxes with which each is charged therein, together with eight per centum added thereto for compensation of said constable for collecting the same.

To take security
from constable

SECTION 3. That it shall be the duty of said treasurer, before delivering said schedule to said constable, to receive from him a bond in the name of the said school district in double the amount of the taxes unpaid, to be approved by the said board of school directors as bonds of treasurers of school funds are now approved, conditioned for the payment to said treasurer of the amount of said schedule within a period of thirty days from the time he receives the same, subject to such exonerations as may be allowed him by said board of directors, and upon said treasurer so taking said bond, he shall be relieved from personal responsibility upon his own bond to said school district to the extent that the said constable makes default in payment of the amount of said schedule.

Duty of constable.

SECTION 4. And the said constable shall, upon his receiving said warrant and schedule, proceed to levy the amounts charged against any person in said schedule by distress and sale of the goods and chattels of such delinquent, giving at least five days' notice of such sale by written or printed advertisements; and in such case said constable shall be entitled to retain out of the proceeds of said sale, after deducting the taxes and the eight per cent. added, the same costs as are now allowed by law to constables on a levy and sale upon a writ of execution, except the commission allowed in constables' fee bills.

Compensation in
case of sale.

Collector to be ap-
pointed in certain
cases.

SECTION 5. If the said constable shall refuse to receive said warrant and schedule, or shall fail to demand from said treasurer said schedule, before the tenth day of December of each year, or if there shall be a vacancy in said office, the said treasurer shall appoint some other person as collector of said unpaid taxes, under the same conditions and liabilities and with the same powers and privileges as said constables are by virtue of this act.

When constable to
make certain re-
turns to county
commissioners.

SECTION 6. It shall be the duty of said constable before the first day of January in each and every year to make return to the commissioners of said county of the unseated lands in said township upon which taxes charged in said schedule remain unpaid, and of the lands therein on which no sufficient personal property can be found out of which said constable could compel the payment thereof, in the same manner that collectors of school taxes are now by law required to make return of the same.

School treasurer
made collector of
poor tax.

SECTION 7. The treasurer of said school fund is hereby made collector of the poor tax of said township upon his giving security to the satisfaction of the overseers of the poor of said township, which office said treasurer shall accept under the penalty of fifty dollars, to be recovered for the use of said overseers as sums of like amount are by law recoverable; and upon the failure of said treasurer to act as said collector of poor tax, said overseers can appoint any other person as collector thereof upon the best terms for said township they can

Penalty for refus-
ing to act.

When overseers
may appoint col-
lector.

secure, who shall have all the powers that the treasurer of school taxes has under this act.

SECTION 8. The said board of school directors shall have authority to appoint as said treasurer any person who is a resident of said township or the borough of Indiana, and who shall be subject to all the responsibilities and processes that the collector of school taxes of said township is now subjected to, and who shall receive as his compensation for receiving and paying out said taxes a sum not exceeding one per centum of the amount of said duplicate.

Who may be appointed school treasurer.

Compensation.

APPROVED—The 23d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 922.

A Supplement

To an act to incorporate the Black Creek Improvement Company.

SECTION 1. *Be it enacted, &c.*, That the charter of the Black Creek Improvement Company, approved the eleventh day of May, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby extended for the term of twenty years from the expiration thereof: *Provided*, That the said company shall pay to the state treasurer such bonus and taxes as are now or may hereafter be required of them by law.

APPROVED—The 23d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 923.

An Act

To incorporate the Germantown Transfer Company.

SECTION 1. *Be it enacted, &c.*, That Henry B. Bruner, J. W. Woolston, A. L. Ashmead, Charles Megarge, R. T. Warner, G. B. Kingston and such other persons as are now or may be associated as stockholders with them, shall be and constitute a body politic and corporate in law, under the name, style and title of the Germantown Transfer Company, and by said title.

Corporators.

Powers and privileges. name they and their successors shall have perpetual succession, and shall be capable of suing and being sued, pleading and being impleaded in any and all courts of law and equity, in this commonwealth or elsewhere; of contracting and being contracted, both relative to the business and objects of the corporation as hereinafter declared; to purchase, hold and convey such personal property as they may deem proper, and to purchase, hold and convey in fee simple or for any less estate such real estate as may be necessary and proper for the convenient operation of the business of said corporation, and may issue bonds for the payment thereof upon such terms as may be agreed upon between the parties.

Business.

SECTION 2. The business of said corporation shall be the transportation of baggage and passengers by omnibus, coaches and wagons upon any route which may be selected by said company, from and to the different depots of the Philadelphia, Germantown and Norristown Railroad Company and the Chestnut Hill Railroad Company, to any point or points in the city of Philadelphia.

Capital stock.

SECTION 3 The capital stock of said company shall be the sum of twenty thousand dollars, in shares of fifty dollars each, with the right to increase the same, by a vote of the stockholders, to an amount not exceeding one hundred thousand dollars; and that the said company may receive subscriptions in cash or in such stock materials or real estate as may be necessary or useful in the business of the company at a fair valuation.

Subscriptions.

Additional subscriptions.

SECTION 4. The persons named in the first section of this act, or any four of them, shall be authorized to open books and receive additional subscriptions to the capital stock of said company at such time and place, and in such manner as they may deem proper, and fix the terms and times of payment thereof.

Constitution and by-laws.

SECTION 5. That said stockholders shall have authority to adopt a constitution and by-laws for the government of said corporation and the transaction of the business thereof, and may elect the necessary officers, and from time to time to alter and amend the said constitution and by-laws in such manner as may be therein provided.

Compensation for damages done by occupation of route.

SECTION 6. No passenger railway shall be constructed, nor shall any public omnibuses be run along any portion of the route which may be selected by said company, and upon which they may be at the time actually and regularly running their omnibuses, coaches and wagons, until said company shall be compensated for the damages done to their rights by the occupation of such route or part thereof; and if the parties cannot agree as to the mode or amount of compensation, either party may apply to the court of common pleas of Philadelphia county, who shall appoint three disinterested persons who shall fix and determine the mode and amount of compensation, and upon report to said court, said court shall make such further orders as may to them seem right and proper, and if they deem best, may, upon the application of either party, direct an issue to try all questions which may be raised in said proceedings, which issue

shall be in such form, and submit such questions as said court may direct: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all material and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Bonus and taxes.

Individual liability.

APPROVED—The 23d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 924.

A Supplement

To an act authorizing the commissioners of the county of Perry to appropriate a certain sum of money for making a certain road in Howe township, in said county, approved March twenty-first, one thousand eight hundred and sixty-five, authorizing and requiring the said commissioners to pay the same to Christian Hartzell, the contractor.

SECTION 1. *Be it enacted, &c.*, That the commissioners of the county of Perry are hereby authorized and required to pay to Michael Hartzell, the contractor for the road mentioned in the act authorizing the commissioners of the county of Perry to appropriate a certain sum of money for making a certain road in Howe township, in said county, approved March twenty-first, one thousand eight hundred and sixty-five, the sum of five hundred dollars, which by the said act the said commissioners for the purposes aforesaid were authorized and required to appropriate out of any money in the county treasury of said county not otherwise appropriated.

APPROVED—The 24th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 925.

An Act

To empower the burgess and town council of the borough of North East to borrow money, to prescribe and establish fire limits in said borough, and collect for grading and building of side-walks, and for other purposes.

Authorized to borrow money and issue bonds.

SECTION 1. *Be it enacted, &c.,* That the burgess and town council of the borough of North East, in the county of Erie, be and they are hereby authorized and empowered to borrow money, upon the faith and credit of said borough, to an amount not exceeding eight thousand dollars, and to issue the bonds or certificates of the aforesaid borough as security for said loan, with interest thereon, at a rate not exceeding eight per cent. per annum, for the purpose of grading the streets and making such other improvements as the said council may deem proper, and paying off and funding the present indebtedness of said borough; and all former acts of the said burgess and town council, in borrowing money and paying more than the legal rate of interest therefor, are hereby validated, legalized and confirmed; and the auditors of said borough are severally authorized to pass and approve the vouchers for the said disbursement for excessive interest made by said council, with like force and effect as if said disbursement had, in each case, been pre-authorized by law.

Purpose.

Former acts legalized.

Auditors authorized to pass vouchers.

Authorities may establish fire limits, and prohibit erection of wooden buildings.

SECTION 2. That the said burgess and town council are authorized and empowered to prescribe and establish fire limits in said borough, and to prevent the erection or establishment in any manner, of any frame or wood building or buildings within such limits, and to prescribe such rules and regulations, and form such ordinance or ordinances, with such penalty or penalties for the violation of the same, as the council may deem necessary to carry this act into effect.

Additional remedy for collection of claims for grading &c.

SECTION 3. That the said burgess and council of North East borough are hereby authorized and empowered, in addition to the remedy now provided by law, to sue and collect in the name of said borough, in an action of debt, in the same manner that other debts are by law collected, all claims due said borough for work and labor done and material furnished in grading and laying side-walks in said borough.

Punishment for drunkenness and disorderly conduct.

SECTION 4. That any justice of the peace or burgess of North East borough aforesaid is hereby authorized, on conviction before him of any person for drunkenness or disorderly conduct in said borough, to sentence the person so convicted to pay a fine for the use of said borough not exceeding twenty dollars, together with the costs of prosecution, and to be confined in the lock-up house of the borough for a period not exceeding ten days, either or both, at the discretion of the justice or burgess, and on the non-payment of the fine and costs, or either, to commit such person to the said lock-up

house for a period not exceeding ten days; and in case of any breach of the peace in said borough by drunkenness or disorderly conduct, of any person in the presence of any justice of the peace, burgess, constable or policeman of said borough, or other person, any of the officers aforesaid may arrest or cause to be arrested, any such intoxicated or disorderly person, and commit him to the said lock-up house, for hearing before a justice or burgess upon complaint made, not exceeding forty-eight hours.

APPROVED—The 24th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 926.

An Act

Appointing auditors to audit the payments made, and inquire into and report upon the expenses incurred by the borough of Lebanon in the introduction of water into said borough, and audit the borough accounts generally.

SECTION 1. *Be it enacted, &c.*, That the court of common pleas of Lebanon county, at its next quarterly session, and annually thereafter, be and the same is hereby authorized and empowered to appoint three auditors, two to be appointed from the majority political party in the borough of Lebanon, and one from the minority party in said borough, to audit all payments made, and inquire into and report upon the expenses incurred by the borough of Lebanon in the introduction of water into said borough, and audit the borough accounts generally since January first, one thousand eight hundred and sixty-nine; they shall have power to inquire to whom said money was paid, and for what purpose, to administer oaths and affirmations, compel the attendance of witnesses, and the production of all books, papers, vouchers and other writings which, in their opinion, may shed any light upon the subject matter to be inquired into by them; and no person shall be excused from answering any question propounded by them, but his testimony shall not be used against him in any criminal prosecution.

Court to appoint auditors.

Their powers.

SECTION 2. Any of the two persons named shall constitute a quorum to do business; and said auditors may hold their meetings at any place or places from time to time designated by them; and in case of vacancy by death, resignation or otherwise, the court of common pleas of said county shall appoint a competent person or persons to fill the same; and false swearing before such auditors shall constitute perjury.

Quorum.

Meetings.

Vacancies.

False swearing.

SECTION 3. Said auditors shall have power to employ counsel; and their own fees, and all other expenses attending their

May employ counsel.

How expenses to be paid.	inquiry, after having been approved by the court of common pleas of said county, shall be paid out of the borough treasury, out of any money then on hand, and the orders of said court shall be a sufficient voucher to the borough treasurer for such payment.
Terms of office.	SECTION 4. Said auditors shall hold their office for the term of three years, when others shall be appointed in their stead by the court of common pleas of said county from time to time; they shall be sworn or affirmed to perform their duties faithfully, and hereafter annually audit the borough accounts, and shall make report of their proceedings, which shall be filed in the prothonotary's office of Lebanon county.
To be sworn.	SECTION 5. Should said auditors at any time find that any money has been fraudulently misapplied or appropriated, they shall have authority to institute suit for its recovery in the name of said borough, and shall have full control of the said proceedings; and such money, when recovered, shall be paid by them into the borough treasury. That the council of said borough, with the approval of the chief burgess, shall have the power and authority to discriminate in favor of all manufacturing industries of all kinds, located in said borough, by decreasing and exceeding one-half the rate of taxation upon the real estate actually used and required in carrying on the business of manufacturing, and owned by the manufacturers.
Make report.	
May institute suits in certain cases.	SECTION 6. That all dogs or bitches in said borough, kept by citizens of the same, shall be declared personal property, will all the legal incidents thereto appertaining; and the borough authorities shall have the power and authority to levy and collect yearly, on every dog, a tax not exceeding one dollar, and on every bitch, a tax not exceeding three dollars, and to provide such reasonable regulation, by ordinance, for the registration, restraining and killing of dogs as may be necessary.
Council may decrease tax on real estate used for manufacturing operations.	
Dogs declared personal property.	SECTION 7. That all freemen of the borough of Lebanon, being citizens of the United States, who have resided within the limits of said borough for one year immediately preceding a borough election, and have within one year paid a borough tax assessed within three months previous to said election, shall be entitled to vote at any election held in said borough for borough officers: <i>Provided</i> , That the payment of a borough tax shall not be required of any citizen voting, who shall be between the ages of twenty-one and twenty-two years.
Authorities may levy tax on, &c.	
Qualifications of electors prescribed.	SECTION 8. All acts inconsistent herewith are hereby repealed.
Repeal.	

APPROVED—The 24th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 927.

An Act

Supplementary to the act to incorporate the North Atlantic Express Company, approved March twenty-seventh, one thousand eight hundred and seventy-two, conferring upon said company all the rights and privileges in an act to incorporate the American Immigration and Land Company, approved April fourth, one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted, &c.*, That the North Atlantic Express Company, in addition to its present powers, privileges and franchises, shall have and possess all the powers, privileges and franchises, which by its act of incorporation, approved April fourth, one thousand eight hundred and seventy-two, were and are conferred upon the American Immigration and Land Company, subject to all the restrictions and limitations in such last mentioned act contained. Additional privileges conferred.

SECTION 2. The said North Atlantic Express Company is hereby authorized and empowered to act as the financial agents of immigrants and others, and may from time to time increase its capital stock by vote of its directors, not to exceed, however, double the amount authorized by existing laws. May act as financial agent, and increase capital stock.

APPROVED—The 23d day of April, A. D. 1873.

J. F. HARTRANFT.

No. 928.

An Act

To incorporate the Franklin Bridge Company.

SECTION 1. *Be it enacted, &c.*, That George W. Bogh, John M. Hower, Solomon Kuntz, B. F. Bogh, Alfred Brader, Henry Harper and Thomas Kuntz, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company under the name, style and title of the Franklin Bridge Company, for the purpose of erecting a bridge across the Lehigh river, and the Lehigh coal and navigation company canal, at Kuntz's ford, in the township of Lehigh, in the county of Northampton, extending over said canal and river to a point on the opposite side of said river in the township of North Whitehall, in the county of Lehigh. Commissioners. Title. Purpose.

SECTION 2. That the capital stock of said company shall be thirty thousand dollars, to be divided into shares of fifty Capital stock.

dollars each, with power to increase the same, if necessary, to an amount sufficient for the erection of said bridge, not, however, exceeding sixty thousand dollars.

Election of officers.

SECTION 3. That whenever ten thousand dollars of the capital stock shall have been subscribed the commissioners named in this act, or any four of them, may hold an election for officers of said company, of which election ten days' previous notice shall be given by handbills or otherwise. The officers of said company shall consist of a president, five directors, a treasurer and a secretary.

How to be organized.

SECTION 4. That the said company shall be organized under and subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

APPROVED—The 24th day of April, A. D. 1873.
J. F. HARTRANFT.

No. 929.

An Act

To incorporate the Waynesboro' Bank.

Corporators.

SECTION 1. *Be it enacted, &c.,* That George J. Balsley, Simon Lecron, D. B. Russell, J. N. Snively, Ezekiel Elden, Lewis S. Forney, Jacob Hoover, Joseph Douglas, T. J. Filbert, Joseph W. Miller, Samuel Hoefflich, Joseph H. Crebs, Jacob Beaver, George Midair and William P. Weagley, and all other persons who shall hereafter become stockholders in said bank, shall be and are hereby created a body corporate, by the name, style and title of the Waynesboro' Bank, and by that name shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment and to promote the object and design of this act of incorporation, to be located in the borough of Waynesboro', in the county of Franklin: *Provided,* That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained.

Title.
Powers and privileges.

Misnomer.

Business.

SECTION 2. That the business of the said corporation shall be to receive on deposit any sum or sums of money not less than one dollar, and to transact any other business transacted by banks in this commonwealth; also, shall have, to take and

accept, by grant, assignment, transfers, device or bequest, and to hold any real or personal estate or trusts created in accordance with the laws of the state, and execute such legal trusts, in regard to the same, on such terms as may be declared, established or agreed upon in regard thereto, not contrary to law; to accept from and execute trusts for married women in respect to their separate property, whether real or personal, and act as agents for them in the management of such property: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors, with interest at such rates as may be fixed annually by the directors, in sums not less than one dollar, when required during business hours: *Provided*, That deposits by married women and minors may be repaid to them, and such re-payments made upon their orders, checks or receipts shall discharge said corporation from any further claims for the same, and deposits so made by married women or minors shall not at any time be subject to the claim or demand of or payable to the husband of said married women, or the parent or guardian of such minors.

Payment of deposits.

Deposits by minors and married women.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may become associated with them as stockholders in said bank to raise and form a capital of fifty thousand dollars, to be divided into shares of fifty dollars each; and all of the capital stock shall be paid in within one year from the organization of said bank, and one-fourth of said capital stock shall be fully paid in before said bank shall commence business; the directors of said bank may increase the capital stock thereof as they from time to time shall elect to any amount not exceeding one hundred and fifty thousand dollars: *Provided*, That the stockholders at the time of such increase shall each be entitled to a *pro rata* share of such increase upon the payment of the par value thereof, such right to be forfeited however if not availed of within ten days of the time fixed for subscription therefor by public notice.

Capital stock.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth, or of the United States, or other stocks or bonds, or real or personal securities as may be deemed appropriate and safe.

Investment of funds.

SECTION 6. That the directors shall prescribe the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe: *Provided*, The number of directors shall at no time exceed nine, and be elected annually.

Directors to prescribe time of electing directors, method of filling vacancies, &c.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day within twelve months from the passage of this act, as the majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers seven directors to manage the

Meeting of corporation.

Purpose of meeting.

President and
other officers.

affairs of the said corporation ; said directors shall choose from their number a president and vice president, and may appoint and remove at will such other officers as they shall deem necessary ; said directors, president and vice president to remain in office until a new election shall take place as provided in the by-laws, and to have and to exercise all of the rights, powers and privileges which are intended to be hereby given.

Real estate.

SECTION 7. That the real estate which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise to secure debts due it, and that in all cases of loans upon real estate the expenses of researches, examination of certificates, and of recording papers shall be paid by the borrower.

Expenses of
searches, &c., to
be paid by bor-
rower.

Interest on depos-
its.

SECTION 8. That the directors at their first meeting in January of each year shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year ; that interest shall not be allowed to any depositor until his deposits shall amount to three dollars ; that interest shall be calculated by calendar months only, and no interest be allowed for fractions of months.

Dividends.

SECTION 9. On the first Tuesday in January and July in each year, the directors shall make and declare out of the net proceeds and profits of the business of said corporation a dividend of so much thereof as they deem best, and pay the same over to the stockholders or their legal representatives within ten days thereafter : *Provided*, That if the directors shall declare and pay any dividends from any source whatever other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposits after the assets of said corporation shall become depreciated in cash value below the whole amount of the deposits with said corporation, and the debts of the same, and fifty per centum of the capital paid in, they shall become and be, and so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors with and creditors of said corporation, for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

Receiving deposits
after depreciation
of assets.

Shares transfer-
able.

SECTION 10. The shares of said corporation shall be transferable on its books in such manner as may be designated by the by-laws thereof ; that each stockholder shall be entitled to cast one vote, in person or by proxy, for each and every share of stock by each stockholder then owned ; if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay any installment of the same for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of said corporation may sell or dispose of the said stock at not less than par as they may deem most advantageous to said corporation.

Votes.

Failure to pay in-
stallments.

Officers and agents
to give security.

SECTION 11. The officers and agents of the said corporation, upon entering upon the discharge of their duties, shall give

bonds in such an amount as the directors shall fix for their fidelity and good conduct, and for the safe-keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others; and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of said corporation as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

Portion of by-laws
to be put up in
office.

SECTION 12. This charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the stockholders: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are or may hereafter be required by law.

Limitation.
Reservation.

Bonus and taxes.

SECTION 13. That the stockholders shall be held individually responsible, equally and ratably, and not one for another, to the depositors with such corporation, and to its other creditors and for its liabilities, to the extent of double the amount of the stock subscribed for and held respectively by them therein, at the par value thereof, in addition to the amount invested in such shares, after the remedies against said corporation shall have been exhausted: *Provided*, That one-fourth of the capital stock of said corporation shall be actually paid in before the business of the said corporation shall be commenced: *And provided further*, That the rate of interest which said the corporation shall be allowed to charge, shall not exceed the legal rate of interest as allowed by the laws of the commonwealth, and that each stockholder shall be individually liable for the amount of stock he or she shall have subscribed.

Individual lia-
bility.

SECTION 14. That said bank may take, receive, reserve and charge on any loan or discount made, interest at such lawful rate as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more, and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

Interest on loans
and discounts.

SECTION 15. That it shall be lawful for said bank to purchase, hold and convey real estate as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank. Said bank shall not purchase or hold real estate in any other case, or for any other purpose, than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

What real estate
may be held.

APPROVED—The 12th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 930.

An Act

Authorizing and requiring the state treasurer to refund certain moneys.

WHEREAS, George C. Morris, executor of the last will and testament of Thomas Morris, late of Philadelphia, deceased, did, on the nineteenth of January, Anno Domini one thousand eight hundred and seventy-two, pay to the treasurer of the state of Pennsylvania the sum of thirty-four dollars and forty cents, purchase money and patent fees for the patent of a tract of four hundred and seventeen acres, surveyed on a warrant to John Pogue, number two hundred and forty, Northumberland county, dated April fourth, one thousand seven hundred and eighty-five, which tract was supposed from the land lien docket filed in Susquehanna county, to lie in said county of Susquehanna, and by the land department as shown in said docket claimed to be unpatented, and said thirty-four dollars and forty cents was paid upon and in satisfaction of said claim :

And whereas, Upon further examination of the records of the land department, it has been ascertained that the said tract of land did not lie in Susquehanna county, but that another tract containing the same quantity and in the same warrantee name was in Susquehanna county, and mistaken for this tract, and that the tract of land in Susquehanna had been paid for to the state of said Thomas W. Morris in his life-time, and a patent had been issued to him therefor, so that the state has been twice paid for said tract ; therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer is hereby authorized and required to refund and pay back to said George C. Morris, executor, et cetera, the sum of thirty-four dollars and forty cents out of any moneys in the treasury not otherwise appropriated, and that no enrolment tax shall be required or paid upon this law.

APPROVED—The 24th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 931.

An Act

To incorporate the Erie Transfer Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That W. A. Baldwin, T. N. Ely, J. W. Reynolds, J. L. Linn, G. J. Ball, S. B. Kennedy

and J. E. Payne, and such persons as may be associated with them, their successors and assigns be and they are hereby incorporated and made a body politic in law, by the name of the Erie Transfer Company; in and by that name to have perpetual succession; to adopt a common seal; to sue and be sued; to purchase and hold such real and personal estate as may be necessary for its use in the prosecution of its business; and to make all such by-laws as may be necessary for the government and proper management of the affairs of said company, not repugnant to the constitution and laws of this state and the United States.

Name.
Powers and priv-
ileges.

SECTION 2. The object of said corporation shall be the trans-acting of express business in the city of Erie, and in the county of Erie, and in carrying passengers and their baggage to and from the hotels, private houses and the railroad depots: *Provided*, That the charge for carrying passengers and baggage, packages and parcels shall be regulated by, and be in obedience to the ordinances duly enacted by the mayor, select and common councils of the city of Erie.

Object.

Charges to be reg-
ulated by ordi-
nance.

SECTION 3. The capital stock of said company shall be fifteen thousand dollars of the par value of fifty dollars per share, fifty per cent. thereof to be paid in at the time of subscription, and said shares transferable in person or by attorney on the books of the company: *Provided*, That each stockholder shall be individually liable for the debts of the company, to the amount of the par value of the stock held by him, and that the said company may, from time to time, by a vote of a majority of the stockholders, increase the capital stock to a sum not exceeding fifty thousand dollars.

Capital stock.

SECTION 4. The number, titles and franchises of the officers of the said corporation, their terms of office, and the times of their election, and the manner of voting, and the periodical meetings of the said corporation may be determined by the by-laws: *Provided*, That at every election for officers, each share of stock shall entitle the holder thereof to one vote: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Number of officers,
time of election,
&c., may be fixed
by by-laws.

Votes.
Bonus and taxes.

Individual lia-
bility.

APPROVED—The 25th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 932.

An Act

Relating to the December Oil Company, and giving jurisdiction to the courts to settle and wind up the same.

When court to appoint assignees to settle affairs.

SECTION 1. *Be it enacted, &c.*, That whenever it shall appear to the court of common pleas of the county in which such stockholders reside, upon either petition or bill in equity, filed by any stockholder of the December Oil Company, a company chartered under the laws of this commonwealth, that the said company is insolvent, or that the said company had ceased to do business, or that it had never engaged in business for the purposes of which said company was created, or that the officers and managers or either were misapplying the funds and property of said company, it shall be the duty of the court of common pleas of the county in which such stockholder resides, and to which said petition or bill is or shall be presented, to appoint one or more assignees to settle and wind up the affairs of said December Oil Company, and said assignee or assignees shall proceed to settle and wind up the affairs of the said company under and in pursuance of the laws relating to insolvent debtors and the insolvent laws of this commonwealth.

What court to have jurisdiction.

Who may file petition or bill in equity.

Service on officers, &c.

SECTION 2. That the court of common pleas of any county in which any stockholders shall reside shall have jurisdiction; and any stockholder may file his petition or bill in equity in said court in any county in which such stockholders may reside, and service of such petition or bill in equity may be made upon the officers of the company or their agent, and upon the other stockholders in any county of this commonwealth.

APPROVED—The 24th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 933.

An Act

To alter and regulate curb lines and heights, also to make uniform and determine widths of footways in the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the select and common councils of the city of Philadelphia be and they are hereby authorized and empowered to alter and regulate the curb

lines and heights, and determine and make uniform the widths of the footways of the streets within the limits of the said city.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 934.

An Act

To annul the marriage contract between Mary W. Reges and John W. Reges, her husband.

WHEREAS, Mary W. Reges and John W. Reges have agreed to live separate and apart from each other, and have so declared their purpose in a deed of separation, which deed is dated the twelfth day of July, Anno Domini one thousand eight hundred and seventy-two, and recorded in the office of recording of deeds in the county of Franklin; that before, at the time, and since the execution of the same, they have so lived apart:

And whereas, They are virtually, though not legally, divorced, and the courts have no jurisdiction; therefore,

SECTION 1. *Be it enacted, &c.*, That the marriage contract between John W. Reges and Mary W. Reges, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties and obligations arising therefrom, as fully and absolutely as if they had never been joined in marriage.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 935.

An Act

To authorize Charles J. Conrad, trustee, to sell certain school real estate in Lower Augusta township, Northumberland county.

SECTION 1. *Be it enacted, &c.*, That Charles J. Conrad, trustee of a certain school house property, containing one acre and two perches, more or less, situate in Lower Augusta

township, Northumberland county, conveyed by Henry Conrad and wife, by deed dated the eighth day of April, Anno Domini one thousand eight hundred and thirty-nine, recorded in the office for recording deeds in Sunbury, county of Northumberland, deed book "A A," page five hundred and seventy-nine, for school purposes, be authorized to sell said school house and lot of ground at public sale, by giving at least twenty days' notice of the time and place of sale by advertisement in one of the newspapers published in said county, and by deed convey the same to the purchaser thereof in fee simple, and pay over the proceeds, after deducting all costs of said sale, to the treasurer of the school district in which said school house is located: *Provided*, That the sale made in pursuance of this act shall be first approved by the court of common pleas of the county where the land is situate, and before such approval security shall be given to be approved by the court for the faithful application of the proceeds of sale.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 936.

A Supplement

To an act to incorporate the Depot Bridge Company of Pittston, Pennsylvania, approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted, &c.*, That the eighth section of an act, entitled "An Act to incorporate the Depot Bridge Company of Pittston, Pennsylvania," approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby repealed.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 937.

An Act

To revise the line of Mantua avenue in the Twenty-fourth ward, city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the councils of the city of Philadelphia are hereby directed to so revise the line of Mantua avenue eastward from Belmont avenue to Thirty-

fifth street, so that the northern line thereof shall not be less than two hundred and eighty-eight feet southward from the original centre line of the Pennsylvania railroad and parallel therewith; and that it shall be located eastwardly from said Thirty-fifth street in a direct line to the intersection of Thirty-second street and Haverford street; and the said Thirty-second street shall be of the same width as the said Mantua avenue to the north side of Bridge street; and that all streets lying between the said Mantua avenue, as so re-located, and the north side of the railroad, excepting Thirty-fifth, Fortieth, Forty-first and Forty-fourth streets, be and the same are hereby vacated and stricken from the public plans of the city.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 938.

An Act

Supplementary to an act, entitled "An Act relative to turnpike and plankroad companies, in the city of Philadelphia," approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted, &c.*, That the value of any turnpike road taken by the city of Philadelphia, and appraised according to the provisions of the act to which this is a supplement, and also any damages appraised according to the said provisions, shall and may be paid by certificates of loan of the said city, to be issued by the treasurer of the city to the parties entitled to such appraised value and damages.

How value of roads and damages may be paid.

SECTION 2. That it shall and may be lawful for the city of Philadelphia to purchase so much of any turnpike road as may be situate within its incorporated limits, and to pay for the same by certificates of loan, to be issued to the parties entitled to the purchase money by the treasurer or other proper officer of the said city.

City may purchase roads, and pay for same with certificates.

SECTION 3. The councils of the city of Philadelphia are authorized to create a loan at the end of each year for the amount required to discharge all purchase money and damages which may have become due by the city under the provisions of this act, during such year, and for the amount of all certificates of turnpike and road damages, which may have been assessed by juries during such year, and to issue certificates of such loan to the parties respectively entitled to such purchase money and damages.

Councils authorized to create loan.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 939.

A Further Supplement

To an act, entitled "An Act to incorporate the Citizens' Passenger Railway Company of Philadelphia," authorizing them to extend their tracks southwardly on Tenth, Eleventh and Twelfth streets.

SECTION 1. *Be it enacted, &c.*, That so much of the act, entitled "A further supplement to an act, entitled 'An Act to incorporate the Citizens' Passenger Railway Company of Philadelphia, authorizing them to extend their tracks southward on Tenth and Eleventh streets,'" approved March eighth, one thousand eight hundred and seventy-three, as requires the building of the road on or before the first day of June next ensuing, be and the same is hereby repealed, and said Citizens' Passenger Railway Company shall have the right and they are hereby authorized to extend their road in the streets named in said further supplement, from time to time, as the public convenience may require: *Provided*, That the road on Tenth street, from Reed to Mifflin streets, and necessary sidings, be constructed by the first day of July next ensuing.

APPROVED—The 24th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 940.

An Act

To incorporate the Equity Improvement Company.

Corporators.

Title.

Powers and privileges.

SECTION 1. *Be it enacted, &c.*, That John Handley, James Jordan, A. A. Chase, J. C. Burgess and Daniel Howell, their associates and successors, be and they are hereby created a body corporate and politic by the name, style and title of the Equity Improvement Company, and by that name and title they shall be known and have perpetual succession, and be capable of suing and of being sued, impleading and being impleaded, and of receiving, using, holding, granting and conveying property, real, personal and mixed, in the commonwealth of Pennsylvania or elsewhere, and of improving the same by the erection of houses and such other works and improvements as may be deemed expedient and proper by them; and also to lease, let or dispose of any part of their property, real, personal or mixed, with or without improvements, and of all of the products and profits of the same in such markets and places, and on such terms as to them shall seem advisable:

Provided, That the said company shall at no time hold more than five hundred acres of lands and minerals in this commonwealth, or elsewhere.

SECTION 2. That the capital stock of said company shall be twenty-five thousand dollars, with the privilege of increasing the same, from time to time, to one million dollars; said increase and all transfers of stock to be made at such times and in such manner as the by-laws of said company may prescribe.

SECTION 3. That the said corporators shall have the right to fix the number of directors by their by-laws, a majority of whom shall be a quorum, one of whom shall be president, and they shall hold their office till their successors shall be duly elected; the said corporation shall be and they are hereby authorized to make all such by-laws to enable them to carry on the business of the same as they may deem proper, and alter and amend the same at pleasure, but no by-laws shall be made contravening the constitution of this commonwealth or of the United States.

SECTION 4. That the said corporation may adopt a corporate seal and alter the same, and fix the amount of shares and the par value of the same, and issue certificates therefor in such form and subject to such regulations and interest as they may from time to time prescribe by their by-laws, and may regulate and prescribe in what form and manner their deeds, contracts and obligations shall be made and executed.

SECTION 5. That the said corporation may issue the bonds of said company, bearing such rate of interest not exceeding eight per centum annum, and payable at such time as they may designate, and dispose of the same at such price and in such way and manner as they may deem expedient, and shall have power to secure the principal and interest of said bonds, by a mortgage or mortgages to any or more of the incorporate banks of the commonwealth of Pennsylvania, as trustee, upon the whole or any part of their property, real or personal, and other corporate rights and franchises acquired or to be acquired by said company.

SECTION 6. That the principal office of said company shall be in the city of Scranton, and that branch offices and agencies may be established elsewhere for the transaction of any of the business of the company.

SECTION 7. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three: *Provided*, The operation of the bill shall be confined to the county of Luzerne.

APPROVED—The 23th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 941.

An Act

To perfect the title to Killbuck island, at the head of the Ohio river, north and west of the Point in the city of Pittsburg, authorizing and directing the surveyor general to issue a patent therefor.

Preamble.

WHEREAS, Wm. Henry *alias* Killbuck, an Indian of the Delaware tribe, became seized and possessed of a certain island at the headwaters of the Ohio river, near to and adjoining what was afterwards the south-western portion of the city of Allegheny, nearly opposite the Point in the city of Pittsburg, the said Killbuck being placed in possession of said island for services in the French and Revolutionary wars :

And whereas, On the twenty-third day of November, Anno Domini one thousand eight hundred and three, Henry Killbuck conveyed the whole or a large part of said island to Abner Barker, and in the year one thousand eight hundred and six, filed his application in the land office of the state of Pennsylvania for a patent for a large part of said island :

And whereas, The island was afterwards in the duplicate of Ross township, returned as unseated lands and sold on the tenth day of June, Anno Domini one thousand eight hundred and eighteen, by R. Graham, treasurer of Allegheny county, to Geo. S. Birnie for one hundred and fifty dollars :

And whereas, The titles of Henry Killbuck and Abner Barker, by good and sufficient conveyances, became vested in Zenus Neel, who on the twenty-fourth day of September, Anno Domini one thousand eight hundred and twenty-nine, redeemed the same of Geo. S. Birnie, the purchaser at tax sale, the said Zenus Neel being then in possession of the land, residing thereon with his family, and running and operating a foundry upon the same :

And whereas, By the great flood and freshet in the year Anno Domini one thousand eight hundred and thirty-two, the soil of the island was washed away, except a small part which was carried off by another flood about ten years thereafter :

And whereas, Zenus Neel died in the year one thousand eight hundred and thirty-four, being the sole and undisputed occupant of the island, and the sole and undisputed owner of the possessory title to said island by himself and those under whom he claimed from a period previous to the formation of the state government :

And whereas, The heirs of Zenus Neel, by deed dated the tenth day of September, Anno Domini one thousand eight hundred and forty-nine, recorded in the recorder's office of Allegheny county, in deed book, volume eighty-eight, page five hundred and seventy, granted and conveyed said island and its appurtenances by metes and bounds unto Andrew Fulton, John E. Parke and others, for the sum of eight thousand dollars, who have since held the title to the same, and

are desirous of having the same perfected by a patent from the commonwealth for the land which they so as aforesaid purchased :

And whereas, The owners of said island are unable to obtain a patent from the commonwealth for the same, under the general land laws of the state, for the reason that the supreme court have decided that inasmuch as esculent roots could not be raised thereon, and that it was not susceptible of cultivation in its present condition, the surveyor general has no power under the laws to issue a patent ; therefore,

SECTION 1. *Be it enacted, &c.,* That the title of A. S. Nicholson, John E. Parke, Wm. Coleman, James K. Moorehead, Samuel M. Fulton, Jane M. Dilworth, Margaret M. Fulton, Edwin C. Matthews, James M'Greggor and Thos. H. B. Patterson, as tenants in common, in equal interests, to all that certain tract or piece of land hereinafter described, known as Smoky or Killbuck island, is hereby ratified and confirmed ; and they, and their heirs, and assigns are hereby declared to be seized of a fee simple title in the same.

Title of certain persons to island, confirmed.

SECTION 2. That the surveyor general be and he is hereby directed and required, upon the payment of the office fees and the sum of three hundred dollars for the use of the commonwealth, as the price of the land at two shillings per acre, with interest, to issue a patent to the parties named in the first section of this act, and to their heirs and assigns, for all that certain tract or piece of land lying, being and situate at the head of the Ohio river near to and adjoining the north bank thereof, being north and west of the Point in the city of Pittsburgh, formerly known as Killbuck or Smoky island, and bounded and described as follows, namely : Beginning at the angle or bend in Bank lane, as the same is laid down in the original plan of the borough (now city) of Allegheny ; thence south fourteen degrees east sixty perches more or less to the Allegheny river, on the south side of said island ; thence down said river south sixty-six and three-quarter degrees, west sixty-two perches ; thence south eighty-one degrees, west forty-two perches ; thence north eighty-seven and one-half degrees, west thirty perches ; thence north seventy-six and one-half degrees, west fourteen perches ; thence north sixty-eight degrees, west twenty-four perches ; thence north sixty-six and three-quarter degrees, west eighty-five perches ; thence north fourteen degrees, west to Bank lane, and thence up Bank lane to the place of beginning.

Surveyor general to issue patent.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 942.

An Act

To incorporate the Examiner Publishing Company of Philadelphia.

Corporators.	SECTION 1. <i>Be it enacted, &c.,</i> That R. B. Phipps, W. Anderson, W. W. Bell, John M'Gough, associates and successors, be and they are hereby created and made a body politic and corporate by the name, style and title of the Examiner Publishing Company of Philadelphia, with all the rights, privileges, franchises incident to a corporation, and shall have perpetual succession; may, in the corporate name, sue and be sued, plead and be impleaded in any court of law or equity in this commonwealth or elsewhere; may have a common seal; may hold such real or personal estate as may be necessary for the transaction of its business; may make such by-laws, rules and regulations for the government of said corporation and its affairs as its directors may from time to time adopt.
Title.	
Powers and privileges.	
Capital stock.	SECTION 2. Said corporation shall have its capital stock of one thousand shares of value of ten dollars each, payable in instalments not less than one dollar each, and said capital stock may be increased, from time to time, to an amount not greater than five thousand shares, and said corporation may borrow money on bond, either with or without coupon, at a rate not exceeding seven and three-tenths of one per centum per annum, and to an amount not greater than one-half of the capital stock, and may mortgage for the security of the same all or any of its personal or real estate, including this franchise, for the payment of the same; and it shall have the affairs of the company governed by a board of directors, not less than four nor more than nine, which number shall be fixed by the by-laws, and who shall elect a president and other officers as they may deem proper.
May borrow money on bond.	
Directors.	
Election.	SECTION 3. The election for directors shall be held annually on the first Tuesday in May, unless the date shall be changed by the board of directors.
Business.	SECTION 4. Said corporation may print, publish, lithograph, engrave, manufacture, or cause to be manufactured, any newspaper, book, engraving, magazine or other serial.
Offices.	SECTION 5. The location of the principal office shall be in Philadelphia, but said company may have branch offices, agencies and establishments elsewhere as the directors may determine.
Shares may be increased.	SECTION 6. The capital stock may be increased, from time to time, from ten dollars per share to one hundred dollars per share, as the stockholders may determine: <i>Provided</i> , That ten per centum shall be paid on each share at the time of subscription. Each stockholder shall be individually liable to double the amount of stock held by him for all wages or labor due for a term not exceeding three months: <i>Provided</i> ,

That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Bonus and taxes.

Individual liability.

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 943.

An Act

To authorize the construction of a bridge over Redbank creek, at or near the Big Bend on said creek, in Armstrong and Clarion counties.

SECTION 1. *Be it enacted, &c.*, That David Stewart, of the borough of Kittanning, in the county of Armstrong, and his heirs and assigns, shall have the right and privilege and is hereby authorized and empowered to erect, build, construct, maintain and keep up a railroad, train-way, wagon and foot bridge, or either or all, at his own expense, over said Redbank creek, commencing at a point in Clarion county, at or near the west end of the railroad tunnel, and thence across the said creek to the opposite shore, in Armstrong county, and to demand and receive tolls for crossing said bridge.

Construction of bridge authorized.

Location.

Tolls.

SECTION 2. That said David Stewart, and his heirs and assigns, shall keep said bridge at all times in good repair: *Provided*, That said bridge shall be so constructed as not to obstruct the navigation of said creek for rafts, boats and barges.

To be kept in repair.

Not to obstruct navigation.

SECTION 3. That all general laws of this commonwealth for the protection of bridges are hereby made applicable to this bridge; and all remedies given to bridge companies by general laws against violation of the same, and injuring and evading the payment of tolls, are hereby given to David Stewart, his heirs and assigns, and that the general laws relative to the assessment of damages for land taken by railroad companies is hereby made applicable for any land necessarily taken in pursuance of this charter.

Certain laws applicable to.

APPROVED—The 29th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 944.

An Act

To incorporate the Savings and Deposit Bank of Annville, Pennsylvania.

Corporators.	SECTION 1. <i>Be it enacted, &c.</i> , That H. H. Kreider, John H. Kinports, Samuel L. Brightbill, Corneilus Smith, David Kreider, Isaac Baker, <i>et al.</i> , and all persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name of
Name.	the Savings and Deposit Bank of Annville, and by that name
Privileges.	shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, and to alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do everything necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the town of Annville: <i>Provided</i> , That a misnomer of said incorporation in any instrument shall not vitiate the same if the intent of the parties can be clearly ascertained.
Misnomer.	
Purpose.	SECTION 2. That the purpose of this act is to organize and incorporate a bank and savings loan company and a safe deposit company; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum or sums of money, and to transact any other business transacted by banks in this commonwealth; that such deposits shall be paid to such depositors, with interest at such legal rates as shall be paid annually by the directors in lawful money or national bank notes, when required during business hours; and such company shall be authorized as such to receive and hold on deposit and in trust, estates, real and personal, including the notes, bonds, obligations and accounts of estates and individuals, and of companies and of corporations, and the same to purchase, collect, and adjust and settle, and also to sell and dispose thereof in any market in the United States, or elsewhere, and for such price and at such times as may be agreed on between them and parties contracting with them; that the corporation hereby created shall also possess and have power to receive upon deposit, for safe-keeping, jewelry, plate, stock, bond, upon terms to be prescribed by the by-laws of the said company.
Business.	
Payment of deposits.	
May hold property in trust, &c.	
Receive jewelry, &c., for safe keeping.	
Capital stock.	SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may be associated with them as stockholders in the company incorporated, to raise and form a capital of fifty thousand dollars, to be divided

into shares of one hundred dollars each, and paid in as shall be required by the board of directors, within one year after commencing business; but one-half thereof shall be fully paid in before the said company shall commence business; the directors of the said corporation may increase the capital stock thereof as they from time to time shall elect, to an amount, not exceeding one hundred thousand dollars: *Provided*, That the stockholders, at the time of such increase, shall be entitled to a *pro rata* share of such increase upon the payment of the par value thereof; such right to be forfeited, however, if not availed of within ten days of the time fixed for subscription therefor by public notice.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth, or of the United States, or other stock or bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe.

SECTION 5. That the directors shall prescribe the form of certificate to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe: *Provided*, The number of directors shall at no time exceed nine.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section on such day, within twelve months from the passage of this act, as the majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers five directors to manage the affairs of the said corporation; said directors shall choose from their number a president, and may appoint and remove at will such other officers as they shall deem necessary; said directors and president to remain in office until a new election shall take place, as provided in the by-laws, and to have and exercise all the rights, powers and privileges which are intended to be hereby given.

SECTION 7. That the real estate, which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise, to secure debts due it; that in all cases of loans upon real estate the expenses of researches, examination of certificates and recording papers shall be paid by the borrower.

SECTION 8. That the directors at their first meeting of January in each year, shall regulate and fix the rate of interest at not more than legal rates, to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposits shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest be allowed for fractions of months.

SECTION 9. On the first Tuesday in January and July, in each year, the directors shall make and declare out of the net proceeds and profits of the business of said corporation, a

Investment of funds.

Directors to prescribe form of certificate to depositors, &c.

Number of directors limited.

Meeting of corporators.

Purpose of meeting.

Officers.

Real estate.

Expenses of searches, &c.

Interest on deposits.

Dividends.

dividend of so much thereof as they deem best, and pay the same over to the stockholders or their legal representatives within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons, any deposit after the assets of said corporation shall become depreciated in cash value below the whole amount of the deposits with said corporation, and the debts of the same, and fifty per centum of the capital stock paid in, they shall become and be so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors with, and creditors of said corporation, for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

Receiving deposits
after depreciation
of assets.

Shares trans-
ferable.

Votes.

Failure to pay in-
stalments.

Books to be open
for inspection.

Officers and agents
to give security.

Portions of by-laws
and regulations to
be put up in office.

Deposits by mar-
ried women and
minors.

Not subject to cer-
tain restrictions.

SECTION 10. The shares of said corporation shall be transferable on its books in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote in person or by proxy for each and every share of stock by each stockholder then owned; if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay any installment of the same for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for shall be forfeited to said corporation, and the directors of said corporation may sell or dispose of the said stock as they may deem most advantageous to said corporation, but not below par value; the books of said corporation shall at all times during business hours be open for the inspection of such as the legislature shall appoint for that purpose.

SECTION 11. The officers and agents of said corporation upon entering upon the discharge of their duties shall give bonds in such an amount as the directors shall fix for their fidelity and good conduct, and for the safe-keeping and appropriation of all such sums of money as shall be placed in their charge by the depositors and others, and the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of said corporation as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

SECTION 12. That deposits of married women and minors may be repaid to them, and such re-payment made upon their order, checks or receipts, shall discharge the said corporation from any further claims of the same; the deposits so made by married women or minors shall not at any time be subject to the claim or demand of or payable to the husband of such married woman, or to the parent or guardian of such minors.

SECTION 13. That said bank not being a bank of issue shall not be subject to the restriction provided in section seventeen of an act, entitled "An Act regulating banks," approved April sixteenth, one thousand eight hundred and fifty, and section

first of an act, entitled "A further supplement to act regulating banks," approved April twenty-two, eighteen hundred and fifty-four.

SECTION 14. That this charter shall continue in force for a period of twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice be done to the incorporators.

SECTION 15. The stockholders shall be individually liable in double the amount of capital stock held or subscribed for by them to the depositors and creditors of said bank, and the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

SECTION 16. That it shall be lawful for said bank to purchase, hold and convey real estate, as follows: Such as shall be necessary for its immediate accommodation in the transaction of its business; such as shall be mortgaged to it in good faith by way of security for debts; such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; such as it shall purchase at sales under judgments, decrees or mortgages held by such bank, or shall purchase to secure debts due to said bank; said bank shall not purchase or hold real estate in any other case or for any other purpose than is specified in this section, nor shall it hold the possession of any real estate under mortgage.

SECTION 17. That said bank may take, receive, reserve and charge on any loan or discount made, interest at such lawful rates as is allowed by any general law of this state, now or hereafter regulating the rate of interest therein, and no more, and nothing in this act contained shall alter, change or affect the rate of interest provided for and established by this section.

APPROVED—The 30th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 945.

An Act

To incorporate the Mercantile Warehouse Company of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That Edward Bastian, H. W. Boreau, W. H. Armstrong, John M. Pomeroy, Peter S. Dildine, Robert Mason, James Gaw and J. Martin, or a majority of them and their associates, and such persons as shall become stockholders therein, be and the same are hereby made and constituted a body corporate and politic, by the name of the Mercantile Warehouse Company, and by said

- Powers and privileges. name they and their successors shall have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts whatever, and also of contracting and being contracted with, relative to the business and objects of the said corporation as hereinafter declared, and may have a common seal, with power to change and alter the same at pleasure.
- Capital stock. SECTION 2. The capital stock of said company shall consist of ten thousand shares of stock, of the par value of one hundred dollars each; and the incorporators or a majority of them named in the first section of this act, shall have power to procure subscribers thereto, and when not less than one thousand shares shall have been subscribed, and ten per centum thereon paid in, the shareholders shall elect nine directors to serve until the next annual election, or until their successors shall be duly elected and qualified; and the directors so elected, when said company shall have been organized, may and are hereby authorized and empowered to have and to exercise in the name and behalf of the company, all the rights and privileges which are intended to be hereby given, under such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due and to become due on the shares held by them: *Provided however*, That active business shall not be commenced by said company until at least one hundred thousand dollars of the capital stock shall have been paid in; the directors shall have power to call in the capital stock of the company in such instalments, and at such time and places as they may require and designate; and they shall give fifteen days' notice thereof, in two or more papers published in the city of Philadelphia; and if any stockholder, subscriber, their assignee or transferee, shall refuse or neglect to pay such proportion or instalment at the time and place appointed, such stockholder, subscriber, assignee or transferee shall, at the option of the directors, forfeit to the use of the company all his, her or their right, title and interest in and to every share on which said instalment has not been duly paid, and fresh subscription may be opened for the same in such manner as the by-laws may prescribe, or the directors may, at their option, commence suit for the same, and to recover against the subscriber or holder of such stock for the amount of the instalment or proportion so unpaid: *Provided*, That no stockholder nor subscriber shall be permitted to vote at any election for directors, or at any general or special meeting of the company, on whose share or shares any instalments or arrearages may be due more than ten days previous thereto, nor shall any stockholder vote at any such meeting or election whose stock has not been standing in his or her name on the books of the company at least thirty days.
- When directors to be elected.
- When business may be commenced.
- Calling in of stock.
- Neglect to pay instalments.
- Stockholders in arrears, &c., not to vote.
- Further powers of company. SECTION 3. That the said company is hereby authorized to receive for warehousing, safe-keeping or storage, goods, wares and merchandise of all kinds, grain, flour, produce, petroleum, whisky or other property, subject to such charges for factorage, storage and insurance as may be agreed upon between them and the owners or depositors of such property,

and to take charge of and perform the duty of paying duties on bonding, receiving, landing, hauling and delivering all such goods, wares, merchandise or property deposited or intended to be deposited with said company; to insure or cause to be insured the owner or owners thereof against all loss by fire or water, whether in transit or on storage, for such an amount, time and price as may be agreed upon between the said owner or owners, depositors or agents; and the said company shall also have power to advance money and credits upon any property in its custody, or upon bills of lading, receipts or certificates representing goods on storage elsewhere, or in transit from one portion in the United States to another, or between the United States to any foreign country, on such terms as may be agreed upon between the borrowers and said company; and the said company shall have power to become possessed of and hold all such equipments as may be necessary to their business; it shall be lawful for said company to purchase, hold and convey real estate as follows: First, such as shall be necessary for its immediate accommodation in the transaction of its business; second, such as shall be mortgaged to it in good faith by way of security for debts previously contracted; third, such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings; fourth, such as it shall purchase at sales under judgments, decrees or mortgages held by the company, or shall purchase to secure debts due to said company; that the corporation hereby created shall have and possess the power to receive money on deposit subject to check, and to receive upon deposit for safe-keeping, jewelry, plate, stocks, bonds, securities, valuable property and papers of every kind, upon terms to be prescribed by the by-laws of said company; shall also loan upon mortgages and other securities the money received by it on deposit as fully as if the same were surplus funds or earnings of said company; it shall also have power to build upon or alter such real estate as may be necessary for carrying on the business of the company, and to connect the same with any railroad convenient thereto by one or more connection therewith.

SECTION 4. The said company shall not issue any receipt or certificates for any goods, wares, merchandise or property to any person or persons purporting to be owners or depositors thereof, unless the same shall have been actually received into a warehouse and enclosure, or on a wharf of the company, and shall be in store or on the premises aforesaid and under its control at the time of issuing said receipt or certificate.

Receipts and certificates not to be given unless goods are received in warehouse, &c.

SECTION 5. That any receipt or certificate issued by said company for any goods, wares, merchandise or property, as aforesaid, stored or deposited with the said company shall be negotiable and may be transferred by endorsement and delivery of said receipt or certificate; and any holder of said receipt or certificate, to whom the same may be so endorsed and delivered, shall be deemed and taken to be the owner of goods, wares, merchandise or property therein specified, either absolutely or as a pledge for any advances or credits on the same, as the case may be; subject, however, to all

Receipts and certificates negotiable

How transferable.
Rights of holder.

Property not to be delivered except on surrender of receipts, &c.	charges thereon; and no property shall be delivered by said company except on the surrender and cancellation of said original receipts or certificate, or in case of the partial delivery or release thereof, by the written assent of the holder of said receipt or certificate endorsed thereon: <i>Provided</i> , That
What receipts and certificates not transferable.	all the receipts or certificates issued by the said company which shall have the words "not negotiable" plainly written or printed on the face thereof, shall not be transferable by endorsement and delivery as aforesaid.
Office.	SECTION 6. That the office of said company shall be in the city of Philadelphia; the directors shall be elected annually by the stockholders on the first Tuesday of May, and they shall elect from their number a president and vice president, and may appoint a treasurer, a secretary and such other officers, clerks and agents as the business of the company may require; all elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him, but no person shall be eligible as director who is not a stockholder to the amount of twenty shares; at the annual or special meetings a quorum shall consist of stockholders owning at least one-third of the capital stock; the board of directors shall have power to make all by-laws necessary for conducting the business of the company.
Annual election.	SECTION 7. Ten days' notice shall be given, by publication in two daily papers in the city of Philadelphia, of the time and place of the annual meeting or of any special meeting. At the annual meeting an election for directors shall be held, which election shall be conducted by three stockholders, to be chosen by the meeting, one of whom shall act as judge and the other two as inspectors.
Officers and agents.	
Eligibility as director.	SECTION 8. The said company shall pay to the state treasurer, for the use of the state, one-eighth of one per centum on the sum required to be paid in before active business, in four equal annual instalments, the first payment to be made in one year thereafter, and a like bonus on all subsequent payments on account of the capital stock of said company.
Quorum.	
By-laws.	APPROVED—The 30th day of April, A. D. 1873. J. F. HARTRANFT.
Notice of meetings.	
How election of directors to be conducted.	
Bonus.	

No. 946.

An Act

To incorporate the Bardine Summer Home Association of Loretto Springs, in the county of Cambria.

Preamble.

WHEREAS, Joseph Bardine, H. B. Jeffries, F. D. Saupp and others have subscribed to a portion of the capital stock of the Bardine Summer Home Association of Loretto Springs, which

association has for its object the purchase, improvement, extension, development and operation of Loretto Springs summer resort and other purposes; therefore,

SECTION 1. *Be it enacted, &c.*, That Joseph Bardine, H. B. Jeffries, F. D. Saupp and their associates, successors and assigns, or any three of them, be and they are hereby authorized

to form and be a body politic and corporate in law and in fact under the name, style and title of the Bardine Summer Home Association of Loretto Springs, and by that name,

style and title shall have perpetual succession, may sue and be sued, plead and be impleaded in any court of record or elsewhere, and have all the privileges and franchises incident to a corporation shall have power to purchase, hold, mortgage and lease real estate, and from time to time, or as the directors of the association shall direct, to lease, mortgage, sell and dispose of the same or any part thereof, and to erect thereon any building or buildings, and make such improvements to and upon the same as the said directors may deem expedient and proper for the use, purposes and benefit of the said corporation.

SECTION 2. That the capital stock of the said association shall consist of sixty shares of the par value of five hundred dollars each, with power to the directors to increase the same to two hundred shares each; and the said association shall have power to change the par value of shares, and to issue any number it may deem expedient: *Provided*, That the aggregate par value of such shares shall not exceed the amount above specified.

SECTION 3. Certificates of said stock shall be issued to the holders thereof in such form or forms as the directors shall determine, signed by the president and secretary, and sealed with a common seal of the corporation, transferable in person or otherwise, as may be provided in the by-laws of the said association; and the said association may dispose of said stock or any portion thereof, upon and subject to such terms and conditions as may be agreed upon by and between any party or parties and this said association.

SECTION 4. That the said association shall have power to borrow money to any amount not exceeding the par value of its capital stock, and may pay therefor any rate of interest not exceeding ten per centum per annum; and the said association may, as security for and evidence of each loan, issue bonds of whatsoever kind and in such sums as the directors may determine, and may, at the option of said directors, secure said bonds by a mortgage or mortgages on all and singular its franchises and property, real, personal and mixed; and the said mortgage, when recorded in the recorder's office of Cambria county, Pennsylvania, shall be a valid lien upon all the property in said mortgages specified.

SECTION 5. The number of directors of said association shall not be less than three nor more than seven, and the corporators herein named shall be directors of the said association until others are chosen at an election by the stockholders; election for directors shall be at such times and places, and in such manner as provided in the by-laws; all officers of the

Corporators.

Title.

Powers and privileges.

Capital stock.

Certificates.

Disposal of stock.

May borrow money and issue bonds.

Directors.

Election.

Officers.

Directors may fill vacancies, establish by-laws, &c.

association shall be chosen by the directors elected by the stockholders; directors may fill vacancy in the board caused by death, resignation or otherwise, be officers, and may also, from time to time, ordain and establish by-laws, ordinances and regulations, not contrary to law, as they may deem necessary and expedient for the proper government of the association and the management of its affairs, and may exercise all and any of the powers and privileges possessed by the corporation.

Individual liability.

SECTION 6. No stockholder shall be individually liable for claims against the association beyond his actual stock therein.

APPROVED—The 30th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 947.

An Act

Supplementary to an act to incorporate the New Carriers' Company, approved twenty-sixth of May, one thousand eight hundred and seventy-one, prescribing a method of organizing the same, and enlarging the powers thereof.

How to be organized.

SECTION 1. *Be it enacted, &c.,* That the method of organizing the New Carriers' Company, incorporated twenty-sixth of May, one thousand eight hundred and seventy-one, shall be by the election, by a majority of the corporators, of a president, vice president and not less than three directors, and the majority of the corporators shall sign a certificate of such election to be deposited in the records of the company, and the officers therein declared elected shall hold their offices until their successors are elected by the stockholders.

Business defined.

SECTION 2. That the business of said corporation shall be the receipt, delivery, transportation, storage, transmission, conveyance of goods, merchandise, packages, messages, parcels, property of any and every kind and description; and it shall have power to provide such means, offices, structures, agencies and appliances, mechanical and otherwise, and to use, hire, operate, construct and maintain the same as it may deem necessary for its purposes, and shall be entitled to all the provisions and privileges, and subject to all the restrictions, (except the provisos at the end thereof,) which are conferred, set forth, referred to and granted in and by the third section of an act to incorporate the Dispatch Company, approved the eleventh day of April, eighteen hundred and sixty-six, as fully as if all of said privileges had been herein specifically set forth and recited at length, and may make and enforce its contracts, and establish, regulate and collect its charges, and shall have, en-

Powers and privileges.

joy and exercise all the rights, powers and privileges granted in and by this act and the third section of the act incorporating the Dispatch Company, as aforesaid, any law or ordinance to the contrary notwithstanding: *Provided*, That nothing Proviso. herein contained shall be construed to authorize the construction of an ordinary locomotive railroad for the conveyance of passengers upon the surface of the ground.

APPROVED—The 30th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 948.

An Act

To incorporate the Pythian Mutual Life Association of Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That J. W. Coulston, Joseph Corporators. Entwisle, John O. K. Roberts, Edward B. Emery, I. P. Rhoads, S. D. Hunter, Samuel W. Kinard, J. Schrack Shearer, W. H. Whyte, H. W. Kratz, Chas. T. Waage, Jos. G. King, John Kay, Jr., Richard G. Cook and Samuel E. Nyce, their associates, successors and assigns, are hereby created a body politic and corporate in law under the name, style and title of the Pythian Mutual Life Association of Pennsylvania, Title. and by that name shall have a corporate seal, alter and renew Powers and privileges. the same at pleasure, and be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere, to purchase, receive, have, hold and enjoy to them and their successors, such real estate and personal property as may be required by said association to carry out the objects of said corporation, and invest all moneys in stocks, bonds, mortgages or other securities, as the said corporation, their successors or assigns, may deem proper for the benefit of the said association; and the directors shall make out annually, a full Annual statement to be made and published. statement of their transactions and the condition of the affairs of the company, and publish the same in not less than two newspapers published in the counties of Chester and Montgomery.

SECTION 2. Any person between twenty-one and sixty years Membership. of age may become a member of said association, under and subject to such rules and restrictions as shall be adopted by the corporation, and by signing an agreement in connection with the application for membership, to pay the fee of admission and one dollar and ten cents at the death of any member in good standing, which each member of the association shall be liable for, and in default of payment thereof or of the regular dues aforesaid, in the manner and form fixed by the by-laws, the same shall cease to be a member, and shall forfeit all right, title and interest in and to any benefits or dona-

tions in and from said company, together with the amount such delinquent member may have previously paid.

How affairs to be managed.

SECTION 3. The affairs of the association shall be managed by fifteen directors, nine of whom shall be a quorum, and shall have power to appoint a president, treasurer and secretary, and any other officer that may be required to carry out the object of said association.

Election of directors.

SECTION 4. The election for directors shall be held in the borough of Phoenixville, in the county of Chester, annually, on the second Saturday of December, and each member shall be entitled to one vote, to be cast by him or herself in person or by proxy: *Provided*, His or her dues are all paid up.

Vacancies.

SECTION 5. Vacancies in the board of directors shall be filled by the board until the next annual election, when the same shall be filled by election for the unexpired term.

Organization.

SECTION 6. Within thirty days after the granting of this charter the members of the aforesaid association shall hold an election to elect the board of directors; said board to organize by the election of a president, treasurer and secretary from among their own number.

APPROVED—The 30th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 949.

An Act

To extend the provisions of an act, entitled "An Act relative to the sale of vinous and spirituous liquors by the lessee or lessees of the restaurant room of the Loeser building, in the borough of Pottsville," approved the twenty-seventh day of October, one thousand eight hundred and sixty-eight, to the Dillon building, in the borough of Mahanoy City.

SECTION 1. *Be it enacted, &c.*, That the provisions of an act, entitled "An Act relative to the sale of vinous and spirituous liquors by the lessee or lessees of the restaurant room of the Loeser building, in the borough of Pottsville," approved the twenty-seventh day of October, one thousand eight hundred and sixty-eight, be and the same are hereby extended to the Dillon building, in the borough of Mahanoy City, county of Schuylkill.

APPROVED—The 30th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 950.

An Act

To authorize an increase of the capital stock of the New York and Cleveland Gas Coal Company.

SECTION 1. *Be it enacted, &c.*, That the New York and Cleveland Gas Coal Company be and they are hereby authorized to increase their capital stock from time to time to an amount not exceeding two millions of dollars: *Provided*, That no increase shall at any time be made under the provisions of this act, except with the consent of a majority of stockholders of said company, at a meeting held for that purpose.

Authorized to increase capital stock.

SECTION 2. Whenever an increase of capital stock shall be made as hereinbefore provided, certificates of such increase shall be filed with the recorder of deeds for Allegheny county and with the auditor general of this commonwealth, and upon such increase same rate of bonus now paid by corporations on increased capital stock, shall be paid to the commonwealth.

Certificates to be filed.

Bonus to be paid.

SECTION 3. Such increased stock may be issued at par on payment of the purchase money of coal lands, coal works, fixtures, coal cars or other property necessary or convenient for the transaction of the business of mining and selling coal.

For what purposes stock may be issued.

APPROVED—The 30th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 951.

An Act

To incorporate the Carbon Trust and Safe Deposit Company.

SECTION 1. *Be it enacted, &c.*, That John Taylor, William C. Morris, Jr., H. M. Merrick, E. H. Blakeslie and A. C. Brodhead, be and they are hereby incorporated as a body politic and corporate, under the name, style and title of the Carbon Trust and Safe Deposit Company, to be located in the borough of Mauch Chunk, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever.

Corporators.

Title.

Location.

Privileges.

SECTION 2. That the said corporation shall have power to receive upon deposit for safe-keeping, jewelry, plate, stock, bonds and valuable property of every kind, upon terms to be prescribed by the by-laws of such corporation.

May receive property for safe keeping.

SECTION 3. The capital stock of the said company shall be two hundred and fifty shares of one hundred dollars each,

Capital stock

- with power to increase the same to one thousand shares of one hundred dollars each. The board of directors shall consist of not less than five or more than thirteen, at the option of the stockholders, and the persons above named shall be the first board of directors, and they and all subsequent boards shall continue in office until their successors are elected, at such times as the stockholders at their meetings shall direct, and such directors may and they are hereby authorized and empowered to have and to exercise in the name and in the behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other stockholders. The company shall have power to commence business when twenty-five per centum of the capital stock shall have been paid in.
- When business may be commenced.** **Bonus and taxes.** **Liability of stockholders.** **Limitation.** **Reservation.**
- SECTION 4.** The said company shall pay to the state treasurer for the use of the state, such bonus and taxes as are now or may hereafter be required by law: *Provided*, That the stockholders shall be personally liable to creditors in double the amount of stock held by them.
- SECTION 5.** This charter shall continue twenty years, and the legislature reserves the right to alter, amend or revoke it at any time the interest of the commonwealth may require it: *Provided*, No injustice be done to corporators.

APPROVED—The 7th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 952.

An Act

To incorporate the Pennsylvania Real Estate Association, to be located in the county of Crawford.

- Corporators.** **SECTION 1.** *Be it enacted, &c.*, That John A. Dale, J. G. Dale and F. H. Gibbs, and their associates and all others that may become stockholders in said company, be and they are hereby constituted a body politic and corporate in law and in deed, by the name, style and title of the Pennsylvania Real Estate Association, and as such shall have perpetual succession, and all the powers, privileges, franchises and immunities of a corporation.
- Title.** **Privileges, &c.** **Capital stock.** **May issue bonds.**
- SECTION 2.** The capital stock of said company shall consist of one thousand shares, of one hundred dollars each, and the president and directors shall have power from time to time, to issue such additional stock as they may deem necessary to carry out the object of the corporation: *Provided however*, That the capital stock shall not be increased beyond two hundred thousand dollars; or they may issue the bonds of said company, bearing such rates not exceeding eight per

centum per annum, and payable at such times as they may designate, or may issue both said stock and bonds, and dispose of either or both of the same at such prices and in such way and manner as they may deem expedient, and shall have power to secure the principal and interest of said bonds by a mortgage or mortgages upon the whole or any part of their property, real or personal, and their corporate rights and franchises, acquired or to be acquired by said company.

SECTION 3. The said corporation shall have power to acquire from time to time, by purchase, lease or otherwise, such lands as they deem expedient and to develop the same, and may lease, sell, mortgage or otherwise dispose of such land or any rights, easements or privileges therein, and may construct all necessary buildings and fixtures necessary for carrying on their business and for the accommodation of persons engaged in their employ; the amount of land shall not exceed at any time five thousand acres, and shall be located in the county of Crawford.

May acquire, improve and dispose of lands.

SECTION 4. The stockholders at their annual meeting, or at an adjourned meeting, shall elect a president and six directors, who shall serve for the ensuing year and until their successors are elected, and any vacancy in the office of president or directors shall be filled by the remaining directors, or president and directors as the case may be; any four with the president and directors for the time being, shall constitute a quorum, and shall be subject to the by-laws adopted by the stockholders, exercise all corporate powers which the corporation may at any time lawfully exercise, including the power of appointing all such officers, agents or employees as they may deem necessary, and may from time to time, adopt, repeal, alter or amend the by-laws for regulating the business of the company not inconsistent with those adopted by the stockholders, and it shall be lawful for the president and directors of said company to subscribe for or purchase the lands or stock of any other incorporated company.

President and directors.

APPROVED—The 8th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 953.

An Act

To incorporate the Scranton Opera House Company.

SECTION 1. *Be it enacted, &c.,* That B. H. Throop, Joseph A. Scranton, William Silknan, Frederick W. Gunster, Oscar C. Moore, he and they are hereby appointed commissioners, or some three of them, to do and perform the several duties hereinafter mentioned, that is to say, they shall, forthwith,

Commissioners.

Form of subscrip-
tions.

Notice.

Receiving of sub-
scriptions.Amount to be paid
at time of sub-
scribing.Certificate to
governor.

Letters patent.

Name.

Powers and priv-
ileges.

Organization.

after the passage of this act, procure a book or books and enter therein as follows: We whose names are hereunto subscribed, do promise to pay to the Scranton Opera House Company the sum of one hundred dollars for each share of stock set opposite our names respectively, in such manner and proportion as shall be determined by the president and directors of the said company in pursuance of this act; witness our hands this — day of —, Anno Domini one thousand eight hundred and seventy-three; and shall thereupon give notice in two daily newspapers of the city of Scranton, state of Pennsylvania, for the space of two weeks, of the time and place when and where such book or books shall be open to receive subscriptions for the stock of the association, at which time and place one or more of the said commissioners shall attend, from day to day, and receive subscriptions to the stock of said association to the amount of not exceeding one thousand shares, when they shall be closed: *Provided*, That each subscriber shall, at the time of subscribing, pay to the attending commissioner or commissioners the sum of twenty dollars on every share so subscribed, out of which money shall be paid the expenses of taking the subscription and incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized as hereinafter directed.

SECTION 2. That when five hundred shares of the said stock shall have been subscribed the said commissioners, or any five of them, shall certify under their hands and seals, the names of the subscribers and the amount of stock subscribed by each of them, to the governor; and thereupon it shall and may be lawful for the governor, by letters patent under his hand and seal of the state, to create and erect the persons who shall then have subscribed, and who may thereafter subscribe, into a body politic and corporate, by the name and style of the Scranton Opera House Company, and by the said name the said subscribers shall have perpetual succession, and shall be capable of holding their capital stock and the increase and profits thereof, and of enlarging the same by new subscriptions in such manner and form as they shall think proper, to the amount of one thousand shares, and of purchasing and holding to them and their successors and assigns, and of selling, mortgaging and transferring in fee simple or by any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary to them in carrying out the purposes of this act, of making and having a common seal, of suing and being sued, and generally of doing all and everything which a body politic or corporate may lawfully do.

SECTION 3. That the first five persons named in the letters patent, or any three of them, as soon as conveniently can be, shall cause to be given at least twenty days' notice in two or more newspapers of the city of Scranton, and state of Pennsylvania, of a time and place by them appointed; at which time and place the said subscribers shall proceed to organize the said corporation, and shall then and there, in person or by

proxy, choose, by ballot or ticket, in writing, twelve suitable persons, members of the corporation, to be directors thereof for the next year ensuing or until the next election.

SECTION 4. That the said directors shall meet at such time as they may agree, and shall, at the first meeting after their election, choose one of their number president of their board for the ensuing year; and may also choose a secretary, treasurer, solicitor and such other officers as they deem expedient; seven directors shall form a quorum for the transaction of business; the directors shall have power to ascertain and decide the time, manner and proportion in which the stockholders shall pay the money due on their respective shares, to adopt such by-laws, rules and regulations not inconsistent with the laws of this commonwealth as may be deemed expedient for the well-being of this corporation, and generally shall have all the authority, powers and privileges necessary and proper for the management of the affairs thereof.

SECTION 5. That an annual meeting of the stockholders shall be held on ——— for the purpose of choosing directors and for the transaction of such other business as may come before them; of which annual meeting the directors shall cause to be given at least twenty days' notice in two newspapers of the city of Scranton; in all elections of directors, each stockholder shall have one vote for every share of stock which he may hold; at each annual meeting of the stockholders the directors of the preceding year shall submit to the meeting a full and fair statement of the affairs and proceedings of the said corporation for such year, together with a full account of all moneys received and expended for the same, and they shall also produce for the inspection of the meeting or such committee as it may name, all books and accounts concerning the corporation; special meetings of the stockholders may be called by order of the directors or by stockholders holding one-fourth of the capital stock, on like notice to that required for the annual meetings, specifying moreover the object of the meeting.

SECTION 6. That the first directors chosen as aforesaid shall issue a certificate to each stockholder for the number of shares he or she may subscribe for or hold in said corporation, after twenty dollars a share shall have been paid thereupon; which certificate shall be transferable on the books of the corporation, either by the owner in person or his attorney duly authorized, subject however to all payments due or to become due thereupon; and the person to whom the transfer shall be made shall stand in the place of the former holder and be entitled to the same privileges and liable to the same responsibilities to the corporation.

SECTION 7. That if any stockholder, after thirty days' notice given in two newspapers in the city of Scranton of the time and place appointed for the payment of any installment of stock, shall neglect to pay said installment at the time appointed or within four months thereafter, the stock held by him may be forfeited to the corporation by a resolution of the directors, and may be sold by them to any other person or persons willing to purchase for such price as can

Election of directors.

President and other officers.

Quorum and powers of directors.

Annual meeting of directors.

Votes.

Statement of affairs.

Account of receipts and disbursements

Inspection of books.

Special meetings

Certificates of stock.

Neglect to pay installments.

be obtained therefor, or the directors may sue for and recover the same before any justice of the peace, or before any court of competent jurisdiction.

May hold real estate, maintain buildings thereon, &c.

SECTION 8. That it shall and may be lawful for the said corporation to purchase and hold such real estate as they may deem necessary for the purposes of this act, and to maintain thereon a building or buildings suitable for the representation of operatic and dramatic performances, and to lease the said building and appurtenances, from time to time, to such person or persons as they may deem proper, for the purpose of giving such representations, or to employ or contract with persons for doing the same.

Dividends.

SECTION 9. That the directors shall keep a just and true account of all moneys received, and shall make and declare dividends of so much of the net profits of the corporation as may seem advisable to them after deducting costs, charges and expenses, but they in no case shall exceed the said net profits, so that the capital stock shall never be thereby impaired.

APPROVED—The 10th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 954.

A Supplement

To an act relative to the appointment of superintendent of highways in the Twenty-second ward, Philadelphia, approved March eighteenth, eighteen hundred and sixty-nine.

Original act not to exempt city from construction of bridges and sewers.

SECTION 1. *Be it enacted, &c.*, That nothing in the act of March eighteenth, eighteen hundred and sixty-nine, relative to the appointment of superintendents of highways for the Twenty-second ward of the city of Philadelphia, or any of the supplements thereto, shall be construed to exempt the city of Philadelphia from the construction of bridges and sewers in said Twenty-second ward.

How bridges and sewers to be built, &c.

SECTION 2. All bridges and sewers that are now or may hereafter be required in the said Twenty-second ward of the city of Philadelphia, shall be built under the same authority and be paid for in the same manner as bridges and sewers are built and paid for in other portions of the said city: *Provided*, That nothing in this act shall be so construed as to require bridges or culverts to be built and paid for out of moneys collected by tax for highway purposes outside of the said Twenty-second ward.

Proviso.

APPROVED—The 10th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 955.

A Supplement

To an act to erect the town of Montrose, in the county of Susquehanna, into a borough, approved March twenty-ninth, one thousand eight hundred and twenty-four.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act the town council of said borough of Montrose shall have full power to regulate the roads, streets, lanes, alleys, common sewers, public squares, common grounds, foot-walks, pavements, gutters, culverts and drains in said borough, and the heights, grades, widths, slopes and forms thereof, and shall have all needful jurisdiction over the same, to require and direct the grading, curbing, paving and guttering of the side or foot-walks, by the owner or owners of the lots of ground respectively fronting thereon, and to cause the same to be done on failure of the owners thereof, within the time prescribed by general regulation to be made by said town council, and to collect the cost of the work and materials with twenty per centum advance thereon from said owners as claims, and by law recoverable under the provisions of the law relative to mechanics' liens, and the particulars of such labor and materials, the names of the actual or reputed owner or owners, as also of the occupier or occupiers of the premises for the time being shall be set forth in a statement, to be filed within sixty days after such expense shall have been incurred.

Power of council
to regulate streets,
direct grading, &c.

SECTION 2. That all laws or parts of laws inconsistent herewith be and are hereby repealed.

Repeal.

APPROVED—The 17th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 956.

An Act

To annul the marriage contract between John Setzer and Mary Ann Setzer.

SECTION 1. *Be it enacted, &c.*, That the marriage contract entered into between John Setzer and Mary Ann Setzer, his wife, in the township of Auburn, county of Susquehanna, be and the same is hereby annulled and made void to all intents and purposes, and the said parties released, set free and discharged from said contract and the duties and obligations thereunder as fully, effectually and absolutely as if the said contract had never been made, the courts having no jurisdiction.

APPROVED—The 17th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 957.

An Act

Supplementary to an act incorporating the Franklin Sewing Machine Company, approved twenty-seventh February, Anno Domini one thousand eight hundred and seventy-two, adding corporators and defining powers of corporators, directors and company.

Additional corporators.

SECTION 1. *Be it enacted, &c.*, That George S. Selden, John Cutlan, Daniel W. Chandler, Tatlow Jackson, Allen K. Eberhart, Conner C. Selden, Holmes B. Kelley, David A. Dangler, B. F. Wagner, John Shirley and Edwin D. Mullen be added as corporators in the first section of said act, with full power to any five of said corporators to meet and organize under this and said act aforesaid.

Five may organize company.

Forfeiture of stock for non-payment of assessments.

SECTION 2. The directors of said company shall have full power, by resolution or otherwise, to forfeit for the use of the company or sell any stock liable to calls or assessments on which any such call or assessment shall remain unpaid for twenty days: *Provided*, That not less than twenty days' notice shall have been given of the time when such call or assessment shall become payable.

Sale of bonds.

SECTION 3. The directors shall not be permitted to sell the bonds of the company at less than par without authority of the stockholders convened to determine such question.

APPROVED—The 17th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 958.

A Supplement

To the act incorporating the New Castle and Franklin Railroad Company, approved March twenty-fifth, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted, &c.*, That the time for the completion of the New Castle and Franklin railroad shall be extended for a period of ten years from the first day of May, Anno Domini one thousand eight hundred and seventy-three.

APPROVED—The 17th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 959.

An Act

To provide for the opening of Forty-third street from Chestnut street to Market street, Forty-fifth street from Walnut street to Market street, and Forty-seventh street from Walnut street to Market street, in the Twenty-seventh ward of the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the chief commissioner of highways of the city of Philadelphia shall, within thirty days from the passage of this act, open for public use Forty-third street from Chestnut street to Market street, Forty-fifth street from Walnut street to Market street, and Forty-seventh street from Walnut street to Market street, in the Twenty-seventh ward of the city of Philadelphia, of the width and courses as the same are plotted upon the confirmed city plan: *Provided*, That where there are any buildings on the site of said streets, they shall be allowed to remain until the damages are assessed and paid, upon the condition that the owner or owners thereof file their petition for the assessment of said damages within sixty days after the passage of this act.

APPROVED—The 17th day of May, A. D. 1873.

J. F. HARTRANFT.

No. 960.

An Act

To incorporate the Manayunk and Roxborough Inclined Plane and Railway Company.

SECTION 1. *Be it enacted, &c.*, That P. Striker Talmage, William Ring, A. Ellwood Jones, T. Mason Mitchell, Jr., John Dolman, Cornelius J. M'Glinchy, James Bowker, Thomas Shaw, William C. Todd and John Boyd, and their associates and successors, are hereby created a corporation or body politic, by the name, style and title of the Manayunk and Roxborough Inclined Plane and Railway Company, and by that name shall have perpetual succession and all the rights, powers and privileges incident to a corporation.

SECTION 2. The capital stock of said company shall consist of one hundred thousand dollars, to be divided into four thousand shares, of twenty-five dollars each, and letters patent shall be issued whenever fifty thousand dollars is subscribed and twenty per centum thereon paid.

Power to construct inclined plane and lay rails on certain streets.

SECTION 3. The said company shall have power to construct and operate an inclined plane from any point on Levering street, in Manayunk, in the city of Philadelphia, to extend to the top of the hill in Roxborough, between Levering and Grape streets, in said city, and to lay rails on Levering street aforesaid from Cresson street to Lyceum avenue, and either Hill, Fleming streets or Manayunk avenue, from Martin street to Lyceum avenue, and on Martin street anywhere between Fleming street and Manayunk avenue, on any or either said Martin, Hill and Fleming streets and Manayunk avenue, as shall be most convenient for running cars from the end of the inclined plane at the top of the hill into Lyceum avenue, and to lay rails also on Lyceum avenue from Fleming street into Ridge avenue, and along Ridge avenue south-westerly as far as the intersection of the Norristown railroad at Wissahickon station, and north-westerly as far as Barren hill.

May run cars, and carry freight and passengers.

SECTION 4. Said company shall also have power to run and haul cars by a stationary steam engine up and down said inclined plane, and carry passengers and freight for hire thereon, and also to run cars by horses or dummy engines on the rest of said route, and carry passengers and freight for hire thereon.

Officers.

SECTION 5. The officers of this company shall consist of a president, secretary and treasurer, and a board of seven directors, to be elected annually by a vote of the stockholders, and the board of directors shall have power to fill all vacancies that may arise during the year.

Vacancies.

Real estate.

SECTION 6. The said company shall have power to buy, sell, lease and hold such real estate as may be necessary for the proper use and purpose of said company.

May borrow money and issue bonds.

SECTION 7. Said company shall have power to borrow money to the amount of the stock subscribed, and to give bonds and mortgages upon its real estate, machinery, rolling-stock and franchises for the purpose of securing the same, and may, on a vote of the stockholders, at a meeting called for that purpose, increase the capital stock to any sum not exceeding two hundred thousand dollars.

Increase capital stock.

Subject to.

SECTION 8. The said company shall be subject to all the restrictions and liabilities and have all the powers and privileges as to locating, constructing and operating the said inclined plane and railway as are contained in the act regulating railroad companies, approved the nineteenth day of April, Anno Domini one thousand eight hundred and forty-nine and the several supplements thereto.

Repeal.

SECTION 9. All acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 961.

A further Supplement

To the act to charter the Harrisburg Bridge Company, to prohibit the riding or driving faster than a walk, or the carrying of fire or the discharging of fire-arms on said bridge.

SECTION 1. *Be it enacted, &c.*, That if any person or persons owning, riding in or driving any vehicle, whether of burden or pleasure, riding or leading any horse, mare, mule or gelding, or driving any hogs, sheep or cattle, shall therewith, or if any foot-passenger shall, by stealth or without payment of toll, pass upon said bridge, or practice any other fraudulent means or device with the intent that the payment of toll may be thereby avoided or lessened, all and every person or persons, in all or every or any of the said ways or manners offending, shall, for every such offence, forfeit and pay to the said bridge company the sum of not exceeding twenty dollars.

Penalty for defrauding company of tolls.

SECTION 2. If any person shall wilfully ride, drive or lead, or cause to be ridden, driven or lead, any horse, mare or gelding, or other beast of burden, or any ox, cow or other cattle, faster than the walk of such beast, when passing over or upon said bridge, or shall go upon said bridge with a lighted segar, pipe or fire in any form or manner other than a lighted candle or lamp, securely inclosed in a safe lantern made for the purpose and approved by the gate-keeper before entering the bridge, or, being in or upon the said bridge, shall, by means of matches or otherwise, kindle or create fire, for any purpose whatever, or shall fire a gun or other fire-arms, or ignite gunpowder in any other manner, any person or persons so offending in any of the aforesaid ways or manners, shall, for every such offence, forfeit and pay to the said bridge company the sum of not exceeding twenty dollars: *Provided*, That general notice of the provisions of this section be set in a conspicuous position at each end of the said bridge.

Penalty for driving faster than a walk.

Or carrying fire, or discharging fire-arms.

SECTION 3. All fines and pecuniary penalties which may be incurred under this act shall be recoverable as debts of similar amount are now or hereafter shall be by law recoverable.

How penalties recoverable.

APPROVED—The 12th day of March, A. D. 1873.

J. F. HARTRANFT.

*No. 59.

An Act

To provide for the appointment of a board of fishery commissioners, for the construction of fishways, and for the protection and propagation of fish, and appropriating money for the same.

Selling shad caught out of season.

Penalty.

How to be recovered.

Not to prohibit taking of fish for propagation.

Fishing on Sunday prohibited.

Penalty.

Officers to suppress such fishing.

Their powers and duties.

SECTION 1. *Be it enacted, &c.,* That hereafter no person shall have in his or her possession, or expose to sale, any shad caught in the river Delaware, or any of its tributaries, within the jurisdiction of this state, below the head of Trenton falls, between the eleventh day of June and tenth day of August in any year, or above the head of Trenton falls, or anywhere on the river Susquehanna, or on any of its tributaries, within said jurisdiction, between the sixteenth day of June and the tenth day of August in any year, under a penalty of five dollars for each and every shad so had in possession or exposed for sale, to be recovered in any action or actions of debt, with costs of suit, by any person or persons in his or their name or names, before any justice of the peace in the county where the offence was committed, or where the defendant resides or is found: *Provided,* That nothing in this act contained shall make it unlawful for the fishery commissioners of this state, or of the co-riparian states, or of the United States commissioner of fisheries, with the consent of the fishery commissioners of this state or of the co-riparian states, to take fish in the said waters for the purpose of natural or artificial spawning or propagation of the same.

SECTION 2. It shall not be lawful to catch fish in any way whatever, in any of the waters in which migratory fish will live, and over which this state has either original or treaty, statutory or constructive jurisdiction, reciprocally, interchangeably or otherwise, at any time between twelve o'clock midnight on Saturday and the next ensuing Sunday night at twelve o'clock; the said offence to be deemed a misdemeanor, and on conviction, the person or persons so offending, shall be guilty of a misdemeanor, and on conviction be sentenced to pay a fine not exceeding one hundred dollars, at the discretion of the court; and sheriffs and constables or harbor police officers, and their deputies, are hereby authorized and required to suppress all such fishing, using such means and force as may be necessary to arrest such persons found in sight of such officer or his deputy, in the commission of the offence, and seize such boats and their apparel, tackle, implements, nets, et cetera, as may be used or employed in the same; the said persons to be tried and punished as aforesaid, and the property taken to be sold at public sale by the said sheriffs and constables on due public notice given, the proceeds to be turned over to the treasuries of the proper counties or cities

*Re-published to correct an error in the printing of the second section, the word "night" having been omitted.—See page 82, section 2, line 6.

bordering upon or embracing the stream or streams whereon the offence shall have been committed: *Provided*, That fishermen and those only necessarily using such seines in their regular established business, as on account of the large size of said seines, and for that cause alone, cannot be set or laid out, except at the slack or turn of the tide, may set their nets or seines at only one such turn of the tide occurring by regular tidal changes between any midnight, during the fishing season, on Saturday night and on sunrise on the following Monday morning, without incurring the penalties provided in this section: *Provided*, None of the provisions of this section shall apply to any one fishing with hook and line.

SECTION 3. Trespassing upon fish preserves, or ponds, shall be punishable as other unlawful trespass for breach of a close, but no action shall be sustained therefor, unless public notice of the character of said preserves, by hand-posts, be set near the said waters by the owners or occupants thereof; and if a roadway, pathway, railway or other form of crossing shall pass over waters held, owned or used as fish preserves by any person or persons engaged in the culture, propagation or preservation of fish, it shall not be lawful for any person to fish in the said waters from the said crossing, or from any of its parts or projectures, and any person or persons so offending, shall be liable in an action of trespass before the tribunal having jurisdiction thereof: *Provided*, That notice shall be fixed at such crossing, by the owner or occupant of the close or preserve, warning the public that the said waters are used as preserves, for the culture, propagation or preservation of fish; and the owners or occupants of such enclosures, having given written notice to their neighbors or adjoining occupants, of the character of said preserves or enclosures, and warned them not to permit domestic water fowls to trespass upon the same, which warning being unheeded for a period of ten days, the said owners or occupants may take possession of or otherwise destroy said water fowl or water fowls, without any liability for taking or destroying the same.

SECTION 4. That it shall not be lawful to fish with nets, or any other method of entrapping fish, except with hook and line, within half a mile of any part of any dam or its schute, in which there is, or may hereafter be, any schute or fish ladder for navigation, or for the purpose of the passage of fish up or down any stream in this commonwealth; and any person or persons so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be sentenced to pay a fine not exceeding one hundred dollars, at the discretion of the court: *Provided*, That the provisions of this section shall not take effect until the first day of March, in the year of our Lord one thousand eight hundred and seventy-four.

SECTION 5. The governor of the commonwealth, is hereby authorized and required to appoint three competent persons, who shall be known as the state fishery commissioners; who shall be commissioned and hold their positions for the period of three years from the date of their appointment, unless the said commission is soon dissolved by legislative

Exceptions.

Trespassing on fish preserves punishable.

Notice to be posted

After notice given, fowls trespassing upon preserves may be destroyed.

Fishing with nets near dams containing schutes, prohibited.

Penalty.

When to take effect.

Governor to appoint commissioners.

Terms of office.

Vacancies.	enactment; and any vacancies occurring in said commission, by death, resignation, or otherwise, shall for the unexpired term in like manner be filled, by the appointment and commission of the governor. The general duties of the said commissioners, in addition to their other duties specified in this act, shall be to forward the restoration of the inland fisheries of the rivers and waters of this commonwealth, and to stock the same with fish in succession at their judgment, as they shall be supplied with means therefor; and they shall use every lawful means to have all the laws in the case or cases made and provided, to be faithfully executed, who shall be paid their reasonable and necessary expenses for the performance of the duties prescribed by this act, and shall
Duties.	report their proceedings and doings annually to the legislature, through the governor of the commonwealth, accompanied by a full and itemized statement, under oath, of all expenditures made by them in pursuance of the provisions of this act: <i>Provided</i> , That before the governor shall issue a commission to any of the said commissioners, he may require each of them to file a bond in the sum of ten thousand dollars, with one or more sufficient sureties, in the auditor general's office, to be approved of by the said auditor general, conditioned for the performance of the duty of said commissioners with fidelity and the faithful application of any moneys which may come to his hands as such commissioner.
Expenses to be paid.	
To make report.	
Governor may require security before issuing commissions.	

To have fishways constructed in certain dams, and appropriations for such purposes.

SECTION 6. During the present year, one thousand eight hundred and seventy three, the commissioners aforesaid are required to have constructed, by contract with the lowest and best bidders, after due public notice, approved fish-ways or ladders for the passage of migratory or anadromous fishes, as follows, to wit: One in the Columbia dam, in addition to the one now existing therein; one in the Clark Ferry dam; one in the Shamokin dam, and one in the first dam in the Juniata river, above its confluence with the Susquehanna river, for which purpose twenty-five thousand dollars, (\$25,000) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated. During the year one thousand eight hundred and seventy-four, (1874) the said commissioners are hereby required to have constructed, by contract, in like manner, with the lowest and best bidders, after due public notice, approved fish-ways or ladders for the passage of migratory or anadromous fishes, as follows, to wit: One in the Muncy dam; one in the Nanticoke dam; one in the Lewistown dam, (in the narrows.) and one in each of the two dams first occurring on the Lehigh river, above its confluence with the Delaware river, and one in the Horse Race and Towanda dam, in the North Branch of the Susquehanna river, or open said dams, for which purpose thirty thousand dollars, (\$30,000,) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated; and during the year one thousand eight hundred and seventy-five, (1875,) the said commissioners are required to have constructed, by contract with the lowest and best bidders, after due public notice, approved fish-ways or ladders for the passage of migra-

tory or anadromous fishes, as follows, to wit: One in the Newton Hamilton dam; one in the Raystown Branch dam, and one in the third and fourth dams, each on the Lehigh river, above its confluence with the Delaware river, for which purpose twenty thousand dollars, (\$20,000,) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not other appropriated: *Provided*, That in each of the said years, the fish-ways aforesaid shall be completed in succession in the order in which they are above named; and no moneys shall be paid out of the state treasury under the provisions of this section, except upon the qualified certificate or certificates of the said commissioners, or a majority thereof, from time to time, that the services have been rendered or the work done in accordance with this act, which certificates, being presented to the auditor general, he shall issue his warrant or warrants upon the state treasury in payment of the same, in favor of the person or persons to whom the same may be due: *And provided*, That none of the fish-ways named in this section, to be constructed in the years eighteen hundred and seventy-four (1874) and eighteen hundred and seventy-five, (1875,) shall be put under contract or constructed, unless the said commissioners, or a majority of them, shall, on or before the first day of May, in the year one thousand eight hundred and seventy-four, (1874,) file a certificate with the auditor general, that in their opinion the said fish-ways have been successful, and can be successfully used for the passage of migratory or anadromous fishes: *And provided further*, That any fish-ways constructed under this act, must be built and constructed in a substantial manner, after the most improved and approved method, to admit of the passage of fish at reasonable cost and so as not to injure the dams for the purposes for which they are now used.

How to be completed.

How moneys to be paid.

No fishways to be constructed in 1874 and 1875, unless certificate is filed.

How to be constructed.

May appoint wardens or bailiffs.

Their duties and powers.

Compensation.

SECTION 7. The board of fishery commissioners may, if they consider it necessary, appoint not exceeding two fish wardens or water bailiffs, to be placed in charge of each of the reaches or stretches of the river immediately below or above the dams mentioned, and at least three fish-wardens or water bailiffs on the river Delaware at such point or points as they may deem proper, whose duty it shall be to be vigilant, and who, if it be necessary, are hereby empowered to call to his or their aid any sheriffs, constables, harbor police officers or their deputies, and upon information made by him or them, or upon view of any offence against or infraction of any of the fishery laws, to arrest and bring to punishment all and any offenders against the same, the pay of each of which officers shall not exceed one hundred dollars in any one year.

SECTION 8. Should the state of New Jersey appropriate funds for the artificial propagation of shad in the river Delaware, during the fishing season of the current year, one thousand eight hundred and seventy-three, the board of fishery commissioners are authorized to apply and employ a similar amount for the same purpose: *Provided*, The said amount shall not exceed the sum of three thousand dollars: *And provided further*, That the said sum, not exceeding

May, in certain case, apply \$3,000 to propagation of shad in Delaware

- three thousand dollars, is hereby appropriated for that purpose, to be paid by the state treasurer upon the warrants of the said board of fishery commissioners, from time to time, as the same may be necessary, whenever a certificate of the appropriation and action of the state of New Jersey shall be filed in the office of the state treasurer, authenticated as required by the laws of said state.
- SECTION 9.** That the provisions against fish baskets, kiddles, eel wiers, or racks, and similar contrivances, contained in section eleven of the act of twenty-fourth of May, one thousand eight hundred and seventy-one, are hereby made applicable to all streams or parts of streams under the jurisdiction of this commonwealth; and it shall be the duty of the board of fishery commissioners to notify the public as to the spawning time, specifying the same, as far as they can ascertain it, of the various tribes of useful food fishes inhabiting the inland waters of this commonwealth, during which time it shall be unlawful for any person or persons to catch or have in possession any fish or fishes of the tribes or kinds of which notice has been given by the commissioners as aforesaid, under the same penalties for the same, prescribed as to shad in the first section of this act.
- SECTION 10.** It shall further be the duty of the said fishery commissioners to select proper and suitable locations, and construct and erect suitable houses and devices for the purpose of hatching and propagating useful tribes of food fishes, and to stock and supply all the streams, lakes and fresh waters of the commonwealth with the same, by distributing the impregnated spawn or fry of the said tribes of fishes to all parts of the state, under proper regulations, having in view the encouragement of fish culture, and to employ the necessary labor and buy the necessary material, machinery and implements therefor; and for that purpose, and to pay the necessary expenses of the said fishery commissioners, and of the bailiffs they may employ in pursuance of section seven of this act, the further sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be paid by the state treasurer on the warrant or warrants of the said commissioners or a majority of them, from time to time, as the work is done or the service rendered: *Provided*, That the said commissioners shall file annually with the auditor general, an account of all moneys expended and services rendered, and whenever it may be practicable, produce and file with said account the proper vouchers for the same.
- SECTION 11.** It shall be the duty of any person or persons, or corporations, hereafter erecting or constructing any dam or dams in any of the rivers of this commonwealth, or their tributaries, accessible to shad or other migratory fishes, to put in or upon the same suitable fish-ways or ladders, under the direction and approval of the said fishery commissioners, without which every such dam shall be deemed a public nuisance, and liable to be abated upon the information of any one complaining.
- How to be paid.
- Provisions against fish baskets, kiddles, &c.
- To notify public as to spawning times.
- Fishing during such times, prohibited.
- To erect hatching houses, distribute spawn, &c.
- Appropriation to pay expenses.
- To file account of moneys expended.
- Duty of persons constructing dams.

SECTION 12. That if any person shall cast, draw, set or fasten or otherwise make use of any seine, set-net, fyke-net, or net of any other description of less mesh than ten inches, or any other appliance except the hook and line, for the purpose of catching fish, between the fifteenth day of June and the tenth day of August, in any year, the person or persons so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one hundred dollars, and undergo an imprisonment not exceeding six months, or both or either, at the discretion of the court: *Provided*, That the provisions of this section shall not apply to the river Delaware, below Trenton Falls.

Penalties for fishing with nets during certain periods.

Proviso.

SECTION 13. That all laws or parts of laws, inconsistent herewith, be and the same are hereby repealed.

Repeal

APPROVED—The 28th day of April, A. D. 1873.

J. F. HARTRANFT.

RESOLUTIONS

PASSED AT THE SESSION OF EIGHTEEN HUNDRED AND SEVENTY-THREE.

No. 1.

Joint Resolution

Providing for payment of expenses of inauguration of the governor.

SECTION 1. *Resolved, &c.*, That three thousand dollars, or so much thereof as may be necessary, be appropriated to pay the expenses of the inauguration ceremonies, and the auditor general is hereby authorized to draw his warrant on the treasurer for the same when certified by the chairman of the joint committee of the legislature on inauguration ceremonies.

APPROVED—The 7th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 2.

Joint Resolution

Authorizing an additional appropriation for sending soldiers' orphans to normal schools.

SECTION 1. *Resolved, &c.*, That the amount of money appropriated by the act of the third of April, one thousand eight hundred and seventy-two, for the purpose of aiding deserting soldiers' orphans, who leave the schools at sixteen years of age to fit themselves for teachers at the state normal schools, be increased from two to three thousand dollars.

APPROVED—The 7th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 3.

Joint Resolution

Providing for the payment of the funeral expenses of the late ex-governor, General John W. Geary.

SECTION 1. *Resolved, &c.*, That the expenses of the funeral of the late ex-governor, General John W. Geary, be paid by the state treasurer on warrants drawn by the auditor general, when the bills are duly certified by the chairman of the joint committee of the legislature

APPROVED—The 12th day of February, A. D. 1873.

J. F. HARTRANFT.

No. 4.

Joint Resolution

Authorizing the payment of witnesses and necessary expenses in the contested election cases now pending in the house of representatives.

SECTION 1. *Be it resolved, &c.*, That the sergeant-at-arms be authorized to pay the witnesses and necessary expenses of the committees in the cases of contested election now pending in this house: *Provided*, That no payment shall be made until the same shall be approved by the chairman of the respective committee upon bills or rolls in writing, which shall be retained by the sergeant-at-arms as vouchers therefor, and the state treasurer is authorized to pay the said vouchers when certified by the chairman.

APPROVED—The 21st day of February, A. D. 1873.

J. F. HARTRANFT.

No. 5.

Joint Resolution

To provide for the payment of the costs in the investigation of the alleged altering of the bill to pay policemen in the city of Philadelphia.

SECTION 1. *Be it enacted, &c.*, That the state treasurer is hereby authorized to pay to Joseph J. Hall, (sergeant-at-arms of the Senate, session of eighteen hundred and seventy-two,)

one hundred and twenty-six dollars in full for services rendered, on a bill certified to by the chairman of the committee appointed to investigate the alleged alteration.

APPROVED—The 7th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 6.

Joint Resolution

Relative to the publication of acts of assembly.

Portion of enacting clause to be omitted.

How to be set.

Names of speakers to be omitted, and approval to be in figures.

SECTION 1. *Be it resolved, &c.*, That hereafter in the pamphlet laws of this commonwealth, the state printer be and he is hereby directed to substitute for the enacting clause the words, "Be it enacted, &c," and to set as solidly as circumstances will permit the various acts of assembly and joint resolutions required to be inserted.

SECTION 2. In the publication of the said pamphlet laws the names of the speakers of the respective houses shall be omitted, and the date of approval by the governor shall be inserted in figures: *Provided*, That this act shall not be construed to affect any existing contract for printing.

APPROVED—The 14th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 7.

Joint Resolution

Authorizing the governor to appoint commissioners to the Vienna Exposition.

SECTION 1. *Resolved, &c.*, That in order to enable the citizens of the commonwealth to participate in the advantages of the universal exposition of the productions of agriculture, manufactures and the fine arts, to be held at Vienna in the year eighteen hundred and seventy-three, that the governor is hereby authorized to appoint and commission as many commissioners as he shall deem necessary to assist in the proper representation of the handiwork of our citizens, and the prolific sources of material wealth with which our state is blest: *Provided*, Said commissioners shall receive no compensation

either for services or expenses: *And provided further*, That no person interested, directly or indirectly, in any article exhibited, shall be appointed commissioner.

APPROVED—The 19th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 8.

Joint Resolution

Instructing our senators and requesting our representatives in congress to vote against any bill authorizing the national government to assume control of the telegraphic lines of the country, or empowering the government to construct telegraphic lines.

SECTION 1. *Be it resolved, &c.*, That our senators be instructed and our representatives in congress be requested to vote against any bill authorizing the national government to assume control of the telegraphic lines of the country, or conferring upon the general government the power to construct telegraphic lines.

APPROVED—The 28th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 9.

Joint Resolution

Relative to the pay, extra pay and mileage of late and contesting members of the house of representatives and the clerks of the several committees drawn to try the contested election cases.

SECTION 1. *Be it resolved, &c.*, That the state treasurer be and is hereby authorized to pay Patrick DeLacey, B. D. Koons, Peter Quigley and E. P. Kisner, who were returned as representatives from the county of Luzerne, and John E. Faunce, who contested the seat of Joseph R. Ash, such pay and mileage for the present session as may be allowed to the senators and members of the present legislature, and also to each one of the said representatives, and to Thomas Waddell, H. J. Phillips, Richard Williams, and Otis Reynolds and John E. Faunce, who contested the seats of the said representatives, the additional sum of five hundred dollars each for their ex-

penses in the said contest, and to Samuel B. Collins, C. E. Milliken, Henry V. Buckley and George R. Logan, who served as clerks to the said committees, the sum of eight hundred dollars each, in payment for services and mileage, and to A. M. Martin, as clerk of the committee in case of Faunce vs. Ash, the sum of eight hundred dollars.

APPROVED—The 8th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 10.

Joint Resolution

For completing the fitting up of the room in the capitol building for the preservation and display of the battle flags.

SECTION 1. *Be it resolved, &c.*, That the sum of fifteen hundred dollars, or so much thereof as may be necessary, is hereby appropriated from the treasury to apply to the proper and necessary expenses of completing the fitting up of the room in the capitol building for the preservation and display of the battle flags, to be drawn and disbursed under the direction of the adjutant general, and the accounts of the disbursements thereof to be settled in due course in the office of the auditor general.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 11.

Joint Resolution

To pay the expenses of the funeral of Henry J. Mason, late stenographic reporter of the legislative journal.

WHEREAS, The senate of Pennsylvania learns with regret of the sudden death of Henry J. Mason, for many years one of the reporters of the legislative journal, in which position he was faithful, courteous and attentive; therefore,

Resolved, That the senate tenders the family of the deceased its sincere sympathies in their bereavement:

And resolved, &c., That the state treasurer be and he is hereby authorized and directed to pay to the wife of the

deceased the sum of five hundred dollars, to pay the necessary expenses attending the funeral of Henry J. Mason, late stenographic reporter of the legislative journal.

APPROVED—The 9th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 12.

Joint Resolution

Relative to the pay of D. S. Elliott, clerk to the local judiciary committee of the house of representatives.

SECTION 1. *Be it enacted, &c.*, That the state treasurer be and hereby is authorized and directed to pay to D. S. Elliott the sum of one hundred and fifty dollars, in full, for service as clerk to the local judiciary committee of the house of representatives, during the session of one thousand eight hundred and seventy-three.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 13.

Joint Resolution

For the relief of R. A. Lucas, late messenger to the bureau of statistics of labor and of agriculture.

WHEREAS, R. A. Lucas faithfully and diligently performed the duties of messenger to the bureau of statistics of labor and of agriculture, from the sixth day of May, one thousand eight hundred and seventy-two, to the first day of January, one thousand eight hundred and seventy-three, under the direction of the late commissioner of said bureau:

And whereas, The name of said R. A. Lucas was inadvertently omitted in making out the items of contingent expenses, and there being no provisions made for the payment of said R. A. Lucas, for his services as aforesaid; therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer is hereby authorized, as required, to pay to said R. A. Lucas the sum of two hundred and fifty dollars, which shall be in full for the services of said Lucas, as messenger, as aforesaid,

from the sixth day of May, one thousand eight hundred and seventy-two, to the first day of January, one thousand eight hundred and seventy-three.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

No. 14.

Joint Resolution

For the settlement of certain claims arising under contracts concerning the soldiers' orphan school at Titusville.

SECTION 1. *Be it resolved, &c.*, That the auditor general is hereby directed to suspend further reductions from the pay of said school, under the act of fifteenth April, eighteen hundred and sixty-seven, until the settlement herein provided for is consummated; and that the auditor general, attorney general and the superintendent of soldiers' orphans' schools are hereby authorized to adjust and settle with the principal of said school, all claims for earnings on account of education and maintenance of soldiers' orphans, accruing prior to the year eighteen hundred and seventy-two, and all claims or damage arising under contracts concerning said school, made by former state officers, as to them or a majority of them shall seem just; and any sum so found due shall be paid on the warrant of the auditor general, out of any funds in the treasury not otherwise appropriated.

APPROVED—The 10th day of April, A. D. 1873.

J. F. HARTRANFT.

APPENDIX—1859.

No. 962.

An Act

To incorporate the American Piano and Melodeon Distributing Company of Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That Henry A. Harding, Edward P. Butler, Edwin S. Quinby, F. D. Sower, E. H. Turner and Henry Sanford, and their associates, shall be and they are hereby declared to be a body politic and corporate, under the name and style of the American Piano and Melodeon Distributing Company of Pennsylvania, to have perpetual succession, to sue and be sued, plead and be impleaded, and generally to have all the other incidents of a corporation: *Provided*, That the clear yearly income of the real estate of said corporation shall not exceed the sum of three thousand dollars.

Corporators.

Name.

Privileges.

Income limited.

SECTION 2. The objects of the said corporation shall be the promotion of the science of music, by furnishing to each member of said corporation who shall contribute to its musical savings fund, for each and every share of stock held by him or her, a first class piano forte or melodeon, furnished with all the modern improvements, at a reduced price, and on advantageous terms.

Objects.

SECTION 3. That the said corporation shall have full power and authority to make all needful rules and by-laws for the government of said corporation, and to alter and amend the same as they may deem expedient: *Provided*, That no rule or by-law as aforesaid shall be repugnant to or inconsistent with the constitution and laws of the United States or of this commonwealth.

Rules and by-laws.

SECTION 4. That the government of said corporation and the management and direction of its affairs and property, shall be vested in a board of six directors, who shall be elected annually, at such times and in such manner as the constitution and rules of said corporation may direct; at the first meeting of said board of directors after their election, in every year, they shall elect a president, vice president, secretary and treasurer; the said persons hereinbefore named are hereby constituted the board of directors, and shall continue to hold their offices until the first election after the issuing of this charter, in accordance with the provisions of the constitution. The said corporation shall have power to increase the number of directors as from time to time may be deemed expedient.

Directors.

APPROVED—The 6th day of December, A. D. 1859.

WM. F. PACKER.

APPENDIX—1860.

No. 963.

An Act

To incorporate the Philadelphia Conservatory of Arts.

SECTION 1. *Be it enacted, &c.*, That George G. Presbury, R. Shelton M'Kenzie, H. E. Wallace, Isaac C. Pray, H. B. Fry, M. Moore, J. G. Ford, S. N. Winslow, Eugene Thorpe and their associates, be and they are hereby incorporated and constituted a body politic and corporate in law and in fact, by the name, style and title of the Philadelphia Conservatory of Arts, with all the rights, powers, immunities and privileges, and subject to all the restrictions conferred and contained in an act to incorporate the Philadelphia Company for the Improvement of the Drama, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine: *Provided*, That no building for the purpose of carrying out the provisions of this act shall be created or erected on Chestnut street, west of Broad street.

APPROVED—The 28th day of March, A. D. 1860.

WM. F. PACKER.

No. 964.

An Act

To incorporate the Steuben Insurance Company.

SECTION 1. *Be it enacted, &c.*, That Jonathan J. Slocum, Garrick Mallory, Henry M. Fuller, Steuben Jenkins, John Robbins, Junior, William C. Ludwig, James Hodgdon, Ziba Bennet and Oliver Evans, be and are hereby appointed commissioners, who or any five of them, are authorized and empowered, from after the passage of this act, to establish an insurance company, by the name, style and title of the Steuben Insurance Company, to be located in the city of Philadelphia, with a capital of fifty thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital to two hundred thousand dollars at any time, and to be organized and managed according to the provisions of an act to

provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and with the right to transact its business upon the mutual principal in connection with its capital stock as aforesaid.

APPROVED—The 2d day of April, A. D. 1860.

WM. F. PACKER.

No. 965.

An Act

To incorporate the Northern Bible Union.

SECTION 1. *Be it enacted, &c.*, That David Francis, L. J. Billmeyer, D. Carroll, G. S. Sterling, W. H. Woods, their associates and their successors, be and are hereby created and made a body politic and corporate in law and in fact, by the name, style and title of the Northern Bible Union; and they shall have, hold and enjoy all the rights, privileges and immunities conferred by act of assembly upon the Home and Foreign Bible Society of Western Pennsylvania.

APPROVED—The 3d day of April, A. D. 1860.

WM. F. PACKER.

APPENDIX—1861.

No. 966.

An Act

To incorporate the Media and Chester Telegraph Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Edward C. Wilson, John Davis, J. Smith, Charles Coats, James Palmer, or a majority of them, and their associates, successors or assigns, shall be and they are hereby made and constituted a body corporate with perpetual succession, and by the same name, style and title shall have all the privileges belonging to a corporation, may sue and be sued, plead and be impleaded, complain and defend in all courts of law and equity, of record or otherwise; may purchase, receive, have, hold and enjoy to them and their successors and assigns, such lands, tenements and hereditaments, goods, chattels and all estate, real, personal and mixed, of what kind and quality soever, as may be necessary for the purposes of the company, and the same from time to time may sell, convey, mortgage, grant, alien, dispose of; may make dividends of such portions of their profits as they may deem proper, and may make and have a common seal, the same to alter and renew at pleasure, and may ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the corporation, and generally may do all and singular the matters and things which to them shall lawfully appertain to do for the well-being of the corporation and the due ordering and management of its affairs.

Powers and privileges.

Capital stock.

SECTION 2. That the capital stock of the said company shall consist of one thousand shares of twenty dollars each, with the privilege of increasing the same as may be deemed necessary to carry out the objects of the corporation.

Further powers.

SECTION 3. That said company shall have power to erect, construct, operate and maintain a telegraph line or lines, either under the ground or over the surface, with all necessary wires, tubes, conductors, poles and fixtures, and with the privilege of selecting new routes and altering old routes, from time to time, between any points in the counties of Delaware, Chester, Philadelphia, Montgomery and Bucks, and with the privilege of extending the said line or lines through the state of Pennsylvania, to any point or points on the Ohio, New Jersey, or New York states lines, or to any intermediate point or points, and to connect its wire or wires with those of any other company chartered by this or any other state, or may lease or sell its line or lines to any such company or unite with the same, and shall have all the rights, powers and privileges granted by the fifth, sixth and seventh sections of

an act to incorporate the Atlantic and Ohio Telegraph Company, approved the twenty-fourth March, one thousand eight hundred and forty-nine, and by the third, fourth and sixth sections of an act to incorporate the Philadelphia and Wilkes-barre Telegraph Company, incorporated twenty-ninth March, one thousand eight hundred and forty-nine.

SECTION 4. That annual meetings of this corporation shall be held at such times and places as the by-laws may indicate, and the stockholders may then elect such officers as they see fit, and at such meetings each share of stock shall entitle the holder to one vote, but the first board of directors, which shall not be less than three in number, shall be chosen by a majority of the corporators named in the first section of this act, and the directors may choose one of their number president; and it shall be competent for the company hereby incorporated, upon depositing a certificate signed by all its directors, in the office of the secretary of the state of Pennsylvania, at Harrisburg, to select a new name for said company, by which name it shall have and exercise all the powers conferred by this act.

Annual meetings.

Election of officers.

May change name.

SECTION 5. That before this act shall be enrolled, or have the effect of a law, a tax of twenty dollars shall be paid into the state treasury in lieu of any other enrollment tax provided for by law.

Enrolment tax on act.

I, Russell Errett, clerk of the senate of the commonwealth of Pennsylvania, in conformity with the joint resolution to supply certain records and papers, approved March sixteenth, eighteen hundred and sixty-four, do hereby certify that the foregoing is a correct verbatim copy of the original act, entitled "An Act to incorporate the Media and Chester Telegraph Company," as the same remains on the files of the senate of this commonwealth, and which, by the journal of said senate, for the session of eighteen hundred and sixty-one, appears to have been signed by the governor of this commonwealth, on the first day of May, Anno Domini one thousand eight hundred and sixty-one, and information thereof, by message, transmitted to the senate.

RUSSELL ERRETT,
Clerk of the Senate.

I hereby certify, in compliance with the provisions of a joint resolution of the senate and house of representatives, to supply certain records and papers, approved March sixteenth, eighteen hundred and sixty-four, that the foregoing is a true and correct copy of a bill, (No. 1007, senate file, 1861,) as copied from the original records on file in the senate, in which said bill originated, which passed the senate and house of representatives, and was approved by the governor on the first day of May, eighteen hundred and sixty-one, and that the enrollment tax has been paid thereon.

In testimony whereof, I have hereunto set my hand and [SEAL.] affixed the seal of the secretary's office, at Harrisburg, this tenth day of May, A. D. 1873,

M. S. QUAY,
Secretary of the Commonwealth.

APPENDIX—1863.

No. 967.

A Supplement

To the act to incorporate the Delaware County Passenger Railway Company.

SECTION 1. *Be it enacted, &c.*, That the Delaware County Passenger Railway Company be and they are hereby authorized to lay rails upon and use for passenger railway purposes Forty-second street, from Market to Chestnut, or Walnut street, in the Twenty-fourth ward of the city of Philadelphia, or any street westward of Forty-second street that may be most convenient or practicable for the purpose of connecting with the Citizens' Passenger Railway.

APPROVED—The 19th day of December, A. D. 1863.

A. G. CURTIN.

APPENDIX—1864.

No. 968.

An Act

To incorporate the Grant Land and Improvement Company.

SECTION 1. *Be it enacted, &c.*, That D. D. Williams, G. S. Berry, Henry C. Rogers, George De Haven, Junior, P. A. B. Widner, their associates and successors, be and they are

Corporators.

hereby created a body politic and corporate, under the name, style and title of the Grant Land and Improvement Company, and by that name shall be known and have perpetual succession, and be capable in law of holding and conveying such lands and tenements as may be necessary for the objects of this incorporation, may sue and be sued, plead and be impleaded in all courts of law and equity, and may have a common seal, which they shall have power to alter or renew at pleasure.

Title.

Powers and privileges.

SECTION 2. The object of said corporation shall be to purchase and sell land, and to secure to each member of the same a homestead, and for that purpose the lands conveyed to the said corporation shall form a common stock, and be divided into a convenient number of shares, and apportioned by the said company among the stockholders, for which certificates of stock shall be issued, and shall be assignable and transferable in such way and subject to such conditions as the by-laws of the said company may from time to time prescribe, and the said shares of stock so created shall be deemed and treated as personal estate: *Provided*, That the quantity of land which shall be held by the said company at any one time shall not exceed ten thousand acres, in the states of Pennsylvania, Maryland, Virginia and in the District of Columbia.

Object.

Lands conveyed to, to form stock.

What amount of land may be held.

SECTION 3. The officers of said company shall consist of a president, three managers, a treasurer and secretary, who shall be elected annually; the stockholders shall have power to make such by-laws as they shall deem expedient for the well conducting and transacting the business of the company, and the president and managers shall be vested with the power to carry on the business and affairs of said company, and for that purpose as often as they shall deem expedient to divide the lands of the said company and to sell the same to the stockholders of said company and to other persons, and to direct the officers to purchase real estate, to construct buildings, and to sell and make deeds of said property so sold, and to receive, execute and deliver all such instruments of writing and do such acts and things as may be necessary to promote

Officers.

By-laws.

Powers of president and managers.

the objects of this corporation : *Provided*, That this act shall not be construed to confer any banking privileges upon said company.

Further powers of company.

SECTION 4. The said company shall have power to let or lease any portion of the lands owned by them for any period the managers may deem proper, and to take and receive in payment for the same, when sold, mortgages or such other securities as they may deem proper, and to erect dwelling houses or other tenements from time to time, as the managers may deem expedient, and the same to sell and convey as provided in the second section of this act.

Votes

Number and value of shares limited

SECTION 5. At all elections each share of stock shall entitle the holder to one vote ; and the number of shares of stock issued by said company shall not exceed ten thousand, nor shall the par value thereof exceed one hundred dollars ; the said corporation shall pay into the treasury of the commonwealth a tax of one-half of one per cent. upon the cash capital of the stock paid in.

Tax to state.

Bonus and taxes on dividends.

SECTION 6. This corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law ; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Individual liability

APPROVED—The 24th day of August, A. D. 1864.

A. G. CURTIN.

APPENDIX—1865.

No. 969.

A Supplement

To an act, entitled "An Act to incorporate the Kingston and Dallas Turnpike Company," authorizing them to change the location of their road, and regulating the amount of their capital stock.

SECTION 1. *Be it enacted, &c.,* That the capital stock of the said company shall be twenty thousand dollars, and be divided into four hundred shares of fifty dollars each, and the said turnpike road shall commence at the north-western end of the Wilkes Barre bridge, instead of at the place named in the said act.

APPROVED—The 17th day of February, A. D. 1865.

A. G. CURTIN.

No. 970.

An Act

To incorporate the American Home.

SECTION 1. *Be it enacted, &c.,* That William Giesse, Chamberlain Evans, Charles Thompson, Reverend Willis Burd, Septimus Norris, Aaron DeWart and Henry Bently, and their successors, be and they are hereby made, declared and constituted a corporation and body corporate and politic, to have continuance forever, by the name, style and title of the American Home, and by the name, style and title aforesaid shall hereafter be capable and able in law to take, receive, hold and enjoy all real and personal estate which they may acquire, for the objects and purposes hereinafter set forth, and all such real and personal property and estate which they shall thus acquire, shall be vested and established in the said corporation and their successors; and that the said corporation and their successors shall be able and capable to acquire, purchase, have, hold and enjoy, in fee simple or of less estate or estates, any lands, real and personal property, whatever, by the gift, grant, bargain, sale, alienation

Corporators.

Title.

Powers and privileges.

or devise of any party or parties able to make the same, and such real and personal estate and property, or any part or parts thereof, to grant, bargain, sell, transfer, lease, mortgage, convey and otherwise dispose of, absolutely or in fee simple or for any less estate or estates; and that the said corporation, and their successors, shall have full power and authority to make, have and use a common seal, and the same to break, alter or renew at pleasure, and that the said corporation and their successors, by the name, style and title of aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in any court, in all manner of suits, pleas, matters and demands whatsoever.

Object. SECTION 2. That the object of said corporation is hereby declared to be the establishment of a home wherein soldiers, sailors, mechanic artizans, and such other persons as the directors may indicate, shall be accommodated under such rules and regulations, and subject to such conditions as the board of directors may determine, and that for the better carrying out of the objects of this incorporation the said corporators and their successors shall be and are hereby authorized and empowered to make and establish by-laws and ordinances for the due government of the said corporation, and to issue capital stock to the extent of five thousand shares of fifty dollars each, with power to increase not exceeding ten thousand shares: *Provided*, That none of the by-laws and ordinances of said corporation shall be repugnant to the constitution and laws of the United States, or of this commonwealth, or to this act.

By-laws.

Capital stock.

Directors. SECTION 3. That the board of directors shall consist of not less than six and not more than fifteen persons, and if the place of any member of said corporation or board be made vacant by death, resignation or otherwise, it shall be the duty of the remaining members within six months after such vacancy shall arise, to elect and appoint a suitable person to fill such vacancy; and that the said corporation may have a president, secretary, treasurer, superintendent of the home, and such other officers as the board of directors may determine.

President, secretary, &c.

Election of first directors. SECTION 4. That the corporators named in the first section of this act, or a majority of them, shall elect the first board of directors, who shall hold their offices until their successors are duly elected at a meeting of stockholders, due public notice of such meeting to be given at least three weeks prior to the day of such stockholders' election, and each share of stock at this and all other meetings to be entitled to but one vote.

Votes.

APPROVED—The 21st day of March, A. D. 1865.
A. G. CURTIN.

No. 971.

An Act

To incorporate the Monument Insurance Company.

SECTION 1. *Be it enacted, &c.*, That John Reichard, E. W. Sturdevant, B. F. Pfouts, Charles Dorrance, Steuben Jenkins, Andrew T. M'Clintock, G. B. Nicholson, E. B. Minor, C. E. Butler, T. S. Hillard, A. H. Emly, Marx Long, W. C. Reynolds, Charles Denison and Michael Reap be and are hereby appointed commissioners, who, or any five of them, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Monument Insurance Company, to be located in the county of Luzerne, with a capital stock of twenty thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital to one hundred thousand dollars at any time, and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act.

APPROVED—The 23d day of March, A. D. 1865.

A. G. CURTIN

APPENDIX—1866.

No. 972.

An Act

To incorporate the Philadelphia Botanic Garden Association.

Preamble.

WHEREAS, A number of persons have associated for the purpose of promoting and encouraging agriculture, horticulture, arboriculture and the study of botany, by improving the growth of vegetables, plants, trees, fruits and flowers, and by introducing into our country new varieties and species, and the said persons are desirous of becoming incorporated; therefore,

Corporators.

SECTION 1. *Be it enacted, &c.*, That the following named persons, to wit: D. Rodney King, Thomas Meehan, Horatio C. Wood, Jr., M. D. Thomas, P. James, Charles P. Hayes, Louis Jack and Charles Harmer, and any others who shall hereafter be associated with them, shall be and hereby are declared to be a body politic and corporate, by the name and style of the Philadelphia Botanic Garden Association, to have succession, to plead and be impleaded, sue and be sued in all courts of record or elsewhere, and be capable to take, hold, and enjoy lands within the state of Pennsylvania, and tenements and hereditaments, goods and chattels, and the same from time to time to sell, grant, demise, alien and dispose of, to use a common seal, and to alter and renew the same at pleasure: *Provided*, That the clear value of the real estate held by them shall at no time exceed the sum of one hundred and fifty thousand dollars.

Name.

Powers and privileges

Officers.

SECTION 2. That the officers of the said corporation shall be such as the said corporation shall think necessary, who shall be elected annually or otherwise, as the rules and by-laws of the said corporation may direct.

Rules, by-laws and ordinances.

SECTION 3. That the said corporation when convened, upon due notice given to the members, shall have power and authority to make, ordain and establish such and so many rules, by-laws and ordinances, relating to the times of meeting, the admission of members, the number, powers and duties of the officers thereof, and the ordering of the other concerns of the said corporation as they may deem necessary and proper: *Provided*, That no rule, by-law or ordinance, as aforesaid, shall be valid, if inconsistent with the constitution and laws of this state or of the United States.

President, secretary, &c.

SECTION 4. That the officers of the said corporation shall be, until otherwise ordered by the members of the same, a president, secretary, treasurer and four directors, who shall collectively constitute a board of managers for conducting

the affairs of the corporation, and that until an election shall be held under this act the following named persons shall be empowered to act as officers of the said corporation, to wit: D. Rodney King, president, Thomas Meehan, secretary, and Charles Harmer, treasurer.

APPROVED—The 12th day of March, A. D. 1866.

A. G. CURTIN.

No. 973.

An Act

To authorize James F. Wood, bishop of Philadelphia, to sell certain real estate situate in Northampton county.

SECTION 1. *Be it enacted, &c.*, That James F. Wood, bishop of Philadelphia, and his successors, are hereby authorized to sell, grant and assure that part adjoining a public road, and of such depth as to embrace two acres, of a certain lot or piece of ground situate in the borough of South Easton, in the county of Northampton, containing four acres, conveyed by Samuel Utt and wife, by their indenture, bearing date September fifteenth, Anno Domini one thousand eight hundred and fifty-one, to Francis Patrick Kendrick, bishop of Philadelphia, and his successors, for the uses and purposes therein mentioned, and to such person or persons, in parcels or altogether, for such price or prices and for such estate or estates as the said bishop and his successors shall determine.

APPROVED—The 16th day of March, A. D. 1866.

A. G. CURTIN.

No. 974.

An Act

To incorporate the Bethlehem Street Railway Company.

SECTION 1. *Be it enacted, &c.*, That Charles W. Rauch, Augustus Wolle, Rufus A. Grider, Robert Lockhart, Charles Brodhead, C. M. Knauss, Abraham Stout, W. Wilson, James T. Borhek, H. Milchsack, M. H. Goundie, Marcus Fetter, and their successors and assigns, be and they are hereby constituted a body politic and corporate, with perpetual succes- Corporators.

Title.	sion, by the name, style and title of the Bethlehem Street Railway Company; and as such shall have the right to lay out and construct a railway with one or more tracks, with turn-outs and sidelings, from Bethlehem borough to South Bethlehem borough, or between such points in either borough and by such routes as the directors may select, through or over any streets or roads, and over any existing bridges, or construct bridges, or by any routes they may deem advisable; and to cross at grade or connect with any other railroad now constructed, or that may hereafter be constructed; and to carry passengers and freights along such routes and streets as may be used by said railway; and they shall have the right to charge such rates of fare as the directors of said company may from time to time determine upon, and to equip said road, to purchase, hold and convey such real estate, and to erect thereon such buildings and improvements as they may deem necessary for the purposes of said company.
Construction of railway authorized.	
Privileges.	
Capital stock.	SECTION 2. That the capital stock of said company shall be fifty thousand dollars, divided into one thousand shares of fifty dollars each, with the privilege of increasing the same from time to time, as the directors may determine.
Directors, number of, &c.	SECTION 3. That the board of directors shall consist of five persons, one of whom shall be president; and the persons above named shall be the first board of directors, and shall hold office until the second Monday of January, one thousand eight hundred and sixty-seven, and until their successors are elected, which election shall take place annually, on the second Monday of January of each and every year thereafter, at such place and time as the directors or the by-laws of the company may fix; and if, from any cause, an election shall not be had at the time designated, an election may be held at any subsequent time, to be appointed by the directors, and the then directors shall hold office until their successors are elected; and the directors shall have power to fill all vacancies in their board.
When road to be commenced and completed.	SECTION 4. That the company shall commence said road within three years and complete the same within five years from the date hereof, and this charter shall always be valid for so much of said railway as may at any time be completed.
Seal.	SECTION 5. That the said company may have a common seal, and the same alter and renew, and shall have power to elect a president, secretary and treasurer and other officers as they may deem necessary; and in all elections for directors, and at other meeting of stockholders, each share shall entitle the holder thereof to one vote, but no stockholder or assignee shall vote upon any share of stock on which an installment is due and unpaid.
President, secretary, &c.	
Votes.	
May borrow money and issue bonds.	SECTION 6. That said company shall have power to borrow money in any sum not exceeding one half its authorized stock, at a rate of interest not exceeding eight per centum, and issue bonds therefor and secure the same by mortgage upon their road, property and franchises, and sell such bonds at their market value.

SECTION 7. That the said company shall be entitled to all the privileges and subject to all the provisions of an act regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty-nine, and the various supplements thereto, so far as the same are not altered or supplied by this act: *Provided*, That said railway company shall not exclude any passengers on account of race or color. Subject to.
Not to exclude
colored passengers

APPROVED—The 12th day of April, A. D. 1866.

A. G. CURTIN.

No. 975.

An Act

To incorporate the Savings Fire and Marine Insurance Company of Pittsburg.

SECTION 1. *Be it enacted, &c.*, That Wm. J. Kountz, August Hartgie, William E. Schmertz, Jake Hill, Lewis Morganstern, John Birmingham, Jonathan Gallagher, William S. Evans, John L. Rhoads, J. S. Stockdale, Charles E. Spear, D. S. H. Gilmore, R. E. Sellers, Andrew Achley, James L. Graham, William H. M'Gee, Alfred Patterson, John Phillips, Joseph H. Davis, James G. Saint, S. B. Manning and Hiram K. Hazlett, of Allegheny county, who, or any five of them, are authorized and empowered, from and after the passage of this act, to establish an insurance company to be located in the city of Pittsburg, Allegheny county, by the name and title of the Savings Fire and Marine Insurance Company, with a capital of one hundred thousand dollars, with the privilege of increasing to three hundred thousand dollars, and said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, (excepting section eight,) and be limited to the risk designated in the first class in the seventh section of said act, and that section third be amended allowing the payment of stock to be made in lawful money of the United States, instead of gold and silver.

APPROVED—The 13th day of April, A. D. 1866.

A. G. CURTIN.

No. 976.

A Further Supplement

To an act incorporating the Chartiers Valley Railroad Company.

SECTION 1. *Be it enacted, &c.*, That the time heretofore fixed by law for the completion of the Chartiers Valley railroad be and the same is hereby extended to the first day of January, Anno Domini one thousand eight hundred and sixty-eight: *Provided however*, That if the said railroad shall be sold and the work of construction and completion thereof shall not be begun by the purchaser on or before the first day of August next, and presented thereafter with reasonable diligence, this act shall be void and of no effect whatever.

APPROVED—The 17th day of April, A. D. 1866.

A. G. CURTIN.

APPENDIX—1867.

No. 977.

A Further Supplement

To an act to incorporate the Mifflin and Centre County Railroad Company.

SECTION 1. *Be it enacted, &c.,* That the capital stock of the Mifflin and Centre County Railroad Company shall be increased to one million of dollars, and shall be divided into twenty thousand shares of fifty dollars each, and the said company are hereby authorized to borrow any sum of money not exceeding seven hundred thousand dollars, and to issue bonds therefor, with or without coupons attached, and the directors of said company shall have power to give such bonds or security by mortgage of said road, machinery, rolling stock, or other property of said company, or any part thereof, or otherwise, as they may deem advantageous: *Provided*, That no bonds shall be issued for a less sum than one hundred dollars, and that such rate of interest not exceeding seven per centum per annum, clear of taxes, as may be agreed upon, shall be lawful.

Capital stock to be increased.

Authorized to borrow money and issue bonds.

Proviso

SECTION 2. When the said company cannot agree with the owner or owners of any lands or materials for the compensation for the damage done, or likely to be done to or sustained by any such owner or owners of such land or materials, which such company may enter upon, use or take away in pursuance of any authority given railroad companies under the laws of this commonwealth, the mode and manner of assessing damages sustained by any such owner or owners of land or materials, shall conform to and in all respects be the same as is provided for in the act incorporating the Pennsylvania Railroad Company, and the several supplements thereto.

Damages for lands and materials, how assessed.

SECTION 3. The time of the annual meeting of the stockholders of said company, for the election of directors and other officers of said company, shall be the second Monday of February in each and every year hereafter.

Time of annual meeting of stock holders.

SECTION 4. It shall be lawful for any other incorporated company or companies, and they are hereby authorized and empowered to subscribe to the capital stock or guarantee the bonds of said company.

Other corporations may subscribe to stock or guarantee bonds.

APPROVED—The 6th day of March, A. D. 1867.

JNO. W. GEARY.

No. 978.

A Further Supplement

To an act to authorize the Cranberry Coal Company to construct a railroad.

SECTION 1. *Be it enacted, &c.*, That the Cranberry Coal Company shall not be required to transport over their railroad any freight or merchandise not belonging to said company, and that the said company is hereby authorized to construct their railroad across any public highway or other railroad at grade, when in the opinion of the board of directors of said company it may be deemed necessary.

APPROVED—The 11th day of March, A. D. 1867.

JNO. W. GEARY.

No. 979.

An Act

To incorporate the People's Saving Fund, Insurance, Trust and Safe Deposit company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Caleb Pierce, James M. Sellers, J. H. T. Jackson, John Daly, John K. Lee, Thomas A. Barlow, Thomas A. Fahy, Robert Laughlin, William H. Kemble, Joseph Harvey, Henry Marcus, Geo. W. Hamersly, William L. Elkin, Alexander Crawford, and all other persons who shall hereafter become stockholders in the company incorporated, shall be a body corporate by the name of the People's Savings Fund, Insurance, Trust and Safe Deposit Company, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever.

Name.

Privileges.

Corporate powers.

SECTION 2. That the corporation hereby created shall have power to receive upon deposit, for safe-keeping, jewelry, plate, stocks, bonds, money and valuable property of every kind, upon terms to be prescribed by the by-laws of said corporation, and in addition to receiving the above deposits, the said corporation shall have power to receive and hold on deposit and in trust and as security, on such terms as may be agreed upon by the contracting parties, estate, real, personal and mixed, and shall have power to dispose of the same according to the terms of such agreement, and also to purchase, collect, adjust, settle, sell and dispose of notes, bonds, obligations and accounts of states and of individuals and of companies

and of corporations in any place, and at any time, and in any manner, and in any market, without proceeding in law or equity, and on such terms as may be agreed upon between them and the parties contracting with them, and also shall have power to make insurance for the fidelity of persons holding places of responsibility and of trust according to the terms prescribed in the by-laws.

SECTION 3. The capital stock of said company shall consist of two thousand shares of stock, of the value of fifty dollars each, being one hundred thousand dollars, with the privilege to increase the same by a vote of the stockholders at an annual or special meeting, to one million of dollars; and the corporators, or a majority of them named in the first section of this act, shall have power to open books for subscriptions at such times and places as they may deem expedient; and when not less than five hundred shares shall have been subscribed, and ten per centum thereon shall have been paid in, (active business shall not be commenced however, until at least fifty thousand dollars have been paid in on the capital stock,) the shareholders may elect not less than seven or more than thirteen directors, to serve until the next annual election or until their successors shall be duly elected and qualified; and the directors so elected of said company when it shall have been organized, may and they are hereby authorized and empowered to have and exercise in the name and in behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due, or to become due on the shares held by them; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to *pro rata* share of such increase, upon the payment of the par value of the same.

Capital stock.

Subscriptions.

When business may be commenced.

Election of directors.

Power and authority of directors.

Right of stockholders in case of increase of capital stock.

Office.

Branches.

Directors to be citizens, &c.

SECTION 4. The principal office of the said company shall be in the city of Philadelphia, but the directors, under such rules and regulations as they may prescribe, may establish branches or agencies in other parts of the state or elsewhere; all of the directors of said company shall be citizens of the United States and reside therein, and shall keep a record of their proceedings.

SECTION 5. The directors shall be elected annually by the stockholders on the first Tuesday of March, and they shall elect from their number at the first meeting of the board after their election a president and a vice president, and shall have power to elect a treasurer and a secretary, and such other officers, clerks or agents as the business of the company may require; all elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him, but no person shall be eligible as a director who is not a stockholder to the amount of ten shares; at the annual or special meetings a quorum shall consist of stockholders owning at least one-third of the capital stock.

Annual election for directors.

Officers, clerks and agents.

Mode of elections and votes.

Eligibility as director.

Quorum.

SECTION 6. Ten days' notice shall be given, by publication in two papers published in the city of Philadelphia, of the

Notice of election, and how election conducted.

time and place of the annual election, which election shall be conducted by three stockholders, one of whom shall act as judge and the other two as inspectors.

By-laws

SECTION 7. The board of directors shall make all by-laws necessary for conducting the business of the company, which by-laws shall at all times be accessible to all persons transacting business with them; the directors shall have power to require payment of the amount remaining unpaid on the stock of said company, at such times and in such proportions as they shall think proper, and under the penalty in case of non-payment as required of forfeiture to the company of such stock and all previous payments thereon; the said assessments to be made as the by-laws of said company shall direct: *Provided*, The said company shall pay to the state treasurer for the use of the state a bonus of one half of one per cent. on the sum required to be paid in previous to the organization, in four equal annual instalments, the first payment to be made in one year after the payments of the capital stock shall be made, and also a like bonus on all subsequent payments on account of the capital stock of said company, or any increase thereof, payable in like manner, and in addition to such bonus shall pay a like tax upon dividends as is or may be imposed by law.

Payment of
amounts remaining
unpaid on stock.

Tax on and tax on
dividends.

APPROVED—The 28th day of March, A. D. 1867.

JNO. W. GEARY.

No. 980.

An Act

Entitled "An Act to incorporate the Excelsior Gold and Silver Mining Company of Colorado."

Corporators.

SECTION 1. *Be it enacted, &c.*, That John G. Adair, Isaiah D. M'Kee, David Stackhouse, Joseph R. Mathews, George W. Ford, Samuel Young and John G. Gruel be and they are hereby created a body politic, by the name, style and title of the Excelsior Gold and Silver Mining Company of Colorado, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving, in its corporate name, property, real, personal and mixed, and of holding and improving lands in Colorado, or any other state or territory of this Union, and to obtain therefrom any and all minerals and other valuable substances, whether by working, mining or leasing, or disposing of privilege to work or mine such lands, or any part thereof, and erect houses and such other buildings, improvement and works as may, in the opinion of the managers of the corporation, appertain to said busi-

Title.

Powers and priv-
ileges.

ness, and to use, let, lease or work the same, and to transport to market and dispose of the products of all such lands, mines and works as they deem proper: *Provided*, That said company shall not hold any lands in Pennsylvania.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of the United States, or of this commonwealth, or the provisions of this act, and to have and to use a common seal, and the same to alter at pleasure, and to issue certificates of stock, representing the value of their property, in such form and subject to such regulations as they may from time to time by their by-laws prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed, by bond, mortgage or otherwise.

By laws.

Seal.

Certificates of stock.

Contracts and obligations.

Directors.

SECTION 3. That the corporators named in this act shall elect so many persons to serve as directors of the company as may be prescribed by the by-laws, a majority of whom shall constitute a quorum for the transaction of business, and shall have been elected in accordance with the by-laws.

SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company wherever their business is located, and to have their principal office in the United States in such place as they deem expedient, at which place it should be lawful to hold all meetings for the transaction of all business of the company.

Offices.

APPROVED—The 10th day of April, A. D. 1867.

JNO. W. GEARY.

No. 981.

An Act

To incorporate the Capitol Savings Fund, Insurance, Trust and Safe Deposit Company.

SECTION 1. *Be it enacted, &c.*, That George Bates, Thomas Stites, James Martin, Jacob Jones, Robert T. Cornwell and Warren Edgerton and all other persons who shall hereafter become stockholders in the company incorporated, shall be a body corporate by the name of the Capitol Savings Fund, Insurance, Trust and Safe Deposit Company, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever.

Corporators.

Name.

Privileges.

SECTION 2. That the corporation hereby created shall have power to receive upon deposit for safe-keeping, jewelry, plate stocks, bonds, money and valuable property of every kind,

Corporate powers.

upon terms to be prescribed by the by-laws of said corporation, and in addition to receiving the above deposits, the said corporation shall have power to receive and hold on deposit and in trust and as security, on such terms as may be agreed upon by the contracting parties, estate, real, personal and mixed, and shall have power to dispose of the same according to the terms of such agreement, and also to purchase, collect, adjust, settle and dispose of notes, bonds, obligations and accounts of states and of individuals and of companies, and of corporations, in any place and at any time, and in any manner and in any market, without proceeding in law or equity, and on such terms as may be agreed upon between them and the parties contracting with them, and also shall have power to make insurance for the fidelity of persons holding places of responsibility and of trust, according to the terms prescribed in the by-laws.

Capital stock.

SECTION 3. The capital stock of said company shall consist of two thousand shares of stock of the value of fifty dollars each, being one hundred thousand dollars, with the privilege to increase the same by a vote of the stockholders, at an annual or special meeting, to one million of dollars; and the corporators, or a majority of them, named in the first section of this act, shall have power to open books for subscriptions at such times and places as they may deem expedient; and when not less than five hundred shares shall have been subscribed and ten per centum thereon shall have been paid in, (active business shall not be commenced however until at least fifty thousand dollars have been paid in on the capital stock,) the shareholders may elect not less than seven or more than thirteen directors to serve until the next annual election, or until their successors shall be duly elected and qualified; and the directors, so elected of said company, when it shall have been organized, may and they are hereby authorized and empowered to have and to exercise in the name and in behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than the payment to the company of the sums due or to become due on the shares held by them; and should the capital stock at any time be increased, the stockholders, at the time of such increase, shall be entitle to pro rata share of such increase upon the payment of the par value of the same.

When business may be commenced.

Election of directors.

Power and authority of directors.

Right of stockholders in case of increase of capital stock.

Office.

Branches.

Directors to be citizens, &c.

Annual election of directors.

Officers and agents

SECTION 4. The principal office of the said company shall be in the city of Philadelphia, but the directors, under such rules and regulations as they may prescribe, may establish branches or agencies in other parts of the state or elsewhere; all of the directors of said company shall be citizens of the United States and reside therein, and shall keep a record of their proceedings.

SECTION 5. The directors shall be elected annually by the stockholders on the first Tuesday of May, and they shall elect from their number, at the first meeting of the board after their election, a president and a vice president, and shall have power to elect a treasurer and a secretary, and such other officers, clerks or agents as the business of the company may

require ; all elections for directors shall be by ballot and every stockholder shall be entitled to one vote for each share of stock held by him, but no person shall be eligible as a director who is not a stockholder to the amount of ten shares ; at the annual or special meetings a quorum shall consist of stockholders owning at least one-third of the capital stock.

Mode of elections and votes.

Eligibility as director.

Quorum.

SECTION 6. Ten days' notice shall be given, by publication in two papers published in the city of Philadelphia, of the time and place of the annual election, which election shall be conducted by three stockholders, one of whom shall act as judge and the other two as inspectors.

Notice of election, and how election conducted.

SECTION 7. The board of directors shall make all by-laws necessary for conducting the business of the company, which by-laws shall at all times be accessible to all persons transacting business with them ; the directors shall have power to require payment of the amount remaining unpaid on the stock of said company at such times and in such proportions as they shall think proper, and under the penalty in case of non-payment as required, of forfeiture to the company of such stock and all previous payments thereon ; the said assessments to be made as the by-laws of said company shall direct.

By-laws.

Payment of amounts remaining unpaid on stock.

SECTION 8. The said company shall pay to the state treasurer for the use of the state, a bonus of one-half of one per cent. on the sum required to be paid in previous to the organization in four equal annual installments, the first payment to be made in one year after the payments of the capital stock shall be made, and also a like bonus on all subsequent payments on account of the capital stock of said company or any increase thereof, payable in like manner, and in addition to such bonus shall pay a like tax upon dividends as is or may be imposed by law.

Bonus and tax on dividends.

APPROVED—The 10th day of April, A. D. 1867.

JNO. W. GEARY

No. 982.

An Act

Supplementary to an act relating to the Western Pennsylvania Railroad Company, and for other purposes, approved April twenty-seventh, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted, &c.,* That the Western Pennsylvania Railroad Company are hereby required to commence the building and construction of their road, as required in the proviso in the act to which this is a supplement, to the town of Butler, in Butler county, on or before July first next, and to proceed continuously therewith until completed, which time of completion shall not extend beyond the first day of July,

When to complete road to Butler and New Castle

Anno Domini one thousand eight hundred and sixty-nine, and thereupon proceed continuously to construct and complete said railroad within a period of five years from the passage of this act, to New Castle, in Lawrence county, where they shall have the right to connect with any other railroad that is now or that may hereafter be constructed, and any act or part of acts inconsistent herewith be and the same are hereby repealed.

Right to connect
with other roads.

Route from Butler
to New Castle.

May construct
branch.

SECTION 2. The route of the said railroad from Butler to New Castle, shall be by the valley of the Connoquenessing creek, and the said company is hereby authorized to construct a branch from the Connoquenessing creek, by the valleys of Brush and Pine creeks, to the city of Pittsburg: *Provided*, The said branch shall be commenced within one year and completed within three years after the passage of this act.

APPROVED—The 10th day of April, A. D. 1867.

JNO. W. GEARY.

No. 983.

An Act

To incorporate the North Mountain Coal Company.

SECTION 1. *Be it enacted, &c.*, That George R. Bedford, George Leveland, Joseph E. Patterson, O. Keese and Henry M. Hoyt, and such other persons as shall be associated with them, their successors and assigns, be and the same are hereby incorporated and erected into a body politic and corporate, by the name, style and title of the North Mountain Coal Company, to have the same rights, powers and privileges, and subject to the same liabilities and restrictions named in the act incorporating the Nanticoke Coal and Iron Company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

APPROVED—The 11th day of April, A. D. 1867.

JNO. W. GEARY.

No. 984.

An Act

To incorporate the Monocacy Iron and Steel Company,

SECTION 1. *Be it enacted, &c.*, That Charles Brodhead, Samuel C. Shimer, James Jenkins, Augustus Wolle and

Corporators.

Albert G. Brodhead, and such other persons as may associate with them, their successors and assigns, be and they are hereby created a corporation and body politic by the name, style and title of the Monocacy Iron and Steel Company, and by that name and title shall have succession, and shall be capable in law to sue and be sued, and have a common seal, and may purchase, lease and hold lands in Northampton and Lehigh counties, not exceeding at any one time two thousand acres, with power to lease, sell, mortgage or otherwise dispose of the same or any part thereof; and the business of this corporation shall be the smelting of iron ores, and the manufacture of iron and steel into any state, shape or condition, and vending the same, and such other matters as may be considered necessary and expedient in the prosecution of said business.

SECTION 2. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each; and the said corporation may increase the same, by a vote of the board of directors, to any sum not exceeding one million of dollars.

SECTION 3. The property and operations of this company shall be managed and conducted by five directors, being stockholders; the president shall be appointed by the directors, from their own number; and the said directors shall have power to appoint such other officers and agents as may be deemed necessary, and require such security from them as may seem proper, and fill all vacancies which may occur in their own body, and make by-laws not inconsistent with the laws of this state, or of the United States.

SECTION 4. The annual election of directors shall take place on the fourth Monday of January in each year, commencing with the fourth Monday of January, one thousand eight hundred and sixty-eight, at some place to be designated by the directors, and all elections shall be by ballot; and at all elections and stockholders' meetings, each share of stock shall be entitled to one vote; such notice of meetings and elections shall be given as the by-laws may require, or the directors order, but if from any cause no election shall be held, the then acting directors shall continue in office until their successors are duly elected.

SECTION 5. The above mentioned Charles Brodhead, Samuel C. Shimer, James Jenkins, Augustus Wolle and Albert G. Brodhead, shall be the first board of directors to organize and manage the affairs of said company, and shall continue in office until their successors are duly elected.

SECTION 6. This corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lacka-

Title.

Powers and privileges.

Business.

Capital stock.

Management.

Officers and agents.

Vacancies.

By laws.

Election of directors.

First board of dividends.

Bonus and taxes on dividends.

Individual liability.

wanna Iron and Coal Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

APPROVED—The 12th day of April, A. D. 1867.

JNO. W. GEARY.

No. 985.

An Act

To incorporate the Somerset Land Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That John D. Roddy, John J. Schell, Jacob Reed, Daniel Weyand and William P. Schell, their associates, successors and assigns, be and they are hereby created a body politic and corporate under the name, style and title of the Somerset Land Company, and shall have and enjoy all the franchises and privileges incident to a corporation.

Title.

Powers, privileges,
&c.

SECTION 2. That said corporation shall have and enjoy all the rights, powers and privileges, and be subject to all the conditions, limitations, restrictions and obligations given, imposed and contained in an act of assembly, entitled "An Act to incorporate the Sullivan Land Company," bearing date the nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four: *Provided*, That the land held by said company shall be in fee simple, and shall be situated in the county of Somerset, and state of Pennsylvania.

How land to be
held and where to
be situated.

May hold lands in
Bedford and Cam-
bria counties.

SECTION 3. That said corporation may purchase and hold, in Bedford and Cambria counties, lands not exceeding one hundred acres in each county, for the purpose of carrying on their business; and that it shall be lawful for said corporation to have their principal office in Philadelphia, New York or Baltimore.

Office.

APPROVED—The 12th day of April, A. D. 1867.

JNO. W. GEARY.

No. 986.

An Act

To incorporate the Riverside Coal Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Steuben Jenkins, John Breese, James Jenkins, W. J. Gore, James D. Green, of Luzerne county, G. B. Smith and George Gwyer, of the city of New York, and such other persons as shall be associated with them, their successors and assigns, be and the same are hereby erected into a body politic and corporate, in deed and in

law, with all the powers and privileges incident to and by law pertaining to a body politic and corporate, by the name, style and title of the Riverside Coal Company, with a capital of one half million of dollars, with power to increase the same to two millions of dollars, to be divided into shares of one hundred dollars each.

SECTION 2. That the affairs of said corporation shall be managed by a board of seven directors, one of whom shall be president, who shall be chosen by said directors; the first election shall be held within six months after this act takes effect, of which election two weeks' public notice shall be given in one or more newspapers published in the county of Luzerne, and subsequent elections shall be held at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid in shall entitle the holder to one vote.

SECTION 3. That the said corporation, by the name aforesaid, shall have authority to hold and use a common seal, and the same to change, alter or amend at pleasure, and by the name, style and title aforesaid, shall be capable in law to sue and be sued before any court or justice of the peace in this commonwealth, and may make all needful rules, regulations and by-laws for the well ordering of the business and affairs of the said corporation, so that the same shall in no wise conflict with or be contrary to the laws and constitution of this commonwealth.

SECTION 4. That the said corporation, by the name aforesaid, may purchase, lease and hold coal and other lands in the county of Luzerne, not exceeding at any one time three thousand acres, with power to mortgage, sell, lease or otherwise dispose of the same, or any part thereof, and the capital of the said company may be employed in purchasing, mining, vending and transporting to market coal and other minerals, and in such other objects as may be deemed necessary and expedient in the prosecution of said business, but nothing herein contained shall authorize said corporation to exercise banking privileges.

SECTION 5. That an annual report shall be made to the auditor general of the commonwealth in the month of January of each year, to be by him filed in his office, and to be verified by the oath or affirmation of the president, secretary or treasurer of said company, showing the amount of capital stock paid in, and the number and amount of dividends declared and paid during the current year.

SECTION 6. That dividends may be declared and paid semi-annually or annually, as the directors may order, but such dividends shall in no case exceed the amount of actual profits acquired by the company.

SECTION 7. That the said corporation, in addition to the office for the general transaction of business in the county of Luzerne, may also have an office for the sale of coal and for transaction of business, either in the city of Philadelphia or New York.

When act to take effect.

SECTION 8. That this act shall not take effect until two thousand shares shall have been subscribed and paid in, a statement of which, containing the names of the subscribers and the amount subscribed by each, verified by the oath or affirmation of some one of the subscribers, shall be furnished to the governor, to be filed in the office of the secretary of the commonwealth, whereupon the governor shall issue letters patent to the corporation.

Letters patent.

How subscriptions may be paid.

SECTION 9. That subscriptions to the stock of the company may be paid in part or in whole, in real estate appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority in interest of the subscribers and stockholders; and the stockholders of said company shall be jointly and severally liable in their individual capacities and estate for debts due miners and laborers employed by said company, and for machinery, provisions, merchandise, country produce and materials furnished said company, to be enforced and collected in the manner provided for in the act, entitled "An Act to encourage manufacturing companies in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, and that said stock may be subscribed for, purchased and held by any company formed under or incorporated by the laws of this commonwealth.

Individual liability.

Corporations may hold stock.

Bonus.

SECTION 10. That the said corporation shall pay to the state treasurer for the use of the commonwealth, one-half of one per cent. upon the amount of the capital stock subscribed and paid in, payable in four equal annual payments, after the issuing of the said letters patent, and a like per centum on any increase in a like ratio after such increase.

May borrow money and issue bonds.

SECTION 11. That the said corporation shall have the right to borrow any sum or sums of money not exceeding the one-half of their capital, and to issue bonds or certificates of loan therefor, with or without coupons attached, and give to such bonds or certificates such preference and security by mortgage or otherwise as the directors of said company may judge expedient: *Provided*, That no bond or certificate shall be issued for a less sum than five hundred dollars, and that the interest payable on the same shall not exceed seven per centum per annum.

*Stock held in a representative capacity, &c., relative to.

SECTION 12. That executors, administrators, guardians and all other trustees who may hold stock in their representative capacity, shall be entitled to represent the same without being subject to any personal liability therefor or on account thereof, and that persons holding stock pledged to them by the owners thereof as collateral security, shall not be held personally subject to any liability as stockholders, and shall not be entitled to represent said stock at the meetings of the stockholders, but that the owners thereof shall be entitled to such representation as fully as though no such pledge had been given.

APPROVED—The 15th day of April, A. D. 1867.

JNO. W. GEARY.

APPENDIX--1868.

No. 987.

An Act

Relating to the Chambersburg Academy, validating a corporate election, and authorizing the burgess and town council to subscribe to the re-building of said academy.

WHEREAS, The annual election for four trustees of the Chambersburg Academy has been omitted for a period of years in consequence of the destruction of the buildings and records of said institution by the fire of July thirtieth, one thousand eight hundred and sixty-four: Preamble.

And whereas, Barnard Wolff, William M'Lellan, Thomas B. Kennedy, William H. M'Dowell, Daniel K. Wunderlick, William G. Reed, Alexander K. M'Clure, Benjamin Chambers, John C. Richards, George R. Messersmith, William L. Chambers and George Eyster were, with a single exception, trustees of the said institution, at and immediately before the time of the fire aforesaid, and have since continued to act in said capacity, the incorporators having failed to elect, and as said trustees have taken steps to re-erect the buildings and revive the institution; therefore,

SECTION 1. *Be it enacted, &c.*, That Barnard Wolff, William M'Lellan, Thomas B. Kennedy, William H. M'Dowell, Daniel K. Wunderlick, William G. Reed, Alexander K. M'Clure, Benjamin Chambers, John C. Richards, George R. Messersmith, William L. Chambers and George Eyster, are hereby made and declared to be a legal board of trustees of the said corporation, and all their acts, or the acts of a constitutional quorum of them, done in accordance with law and the charter of the said incorporation, since they have been acting as said trustees, are hereby declared to be as valid and effectual as if no omission to elect had occurred. Trustees.

SECTION 2. That on the first Monday in May next, at such hour as may be indicated in an advertisement inserted in the two weekly papers published in Chambersburg, the week before, the former corporators as well as recent contributors to the amount of twenty-five dollars each, whether said contributors have yet been enrolled or not, shall meet at the Chambersburg Academy, and then and there elect by ballot twelve trustees, who shall within thirty days thereafter assemble at such place as may be agreed upon, and by lot divide themselves into three classes, the first to remain in office three years, the second two, and the third one year from the day of election, and that an election for four trustees to serve three years each, shall be held annually after the first Mon- Election of trustees, relative to.

day in May next, in accordance with the provisions of the charter of said Chambersburg Academy.

Burgess and council may subscribe \$3,000 for erection of buildings.

To be raised by taxation.

SECTION 3. That the burgess and town council of the borough of Chambersburg shall have authority to subscribe and pay to the trustees of the Chambersburg Academy the sum of three thousand dollars, to be expended in re-erecting the buildings destroyed, and furnishing the same; the said three thousand dollars to be raised by taxation, in one or more levies as may be deemed best, and to this end the burgess and town council aforesaid shall have authority to add two mills to the rate per centum now authorized by law, for a period not exceeding three years.

APPROVED—The 12th day of March, A. D. 1868.

JNO. W. GEARY.

No. 988.

A Further Supplement

To an act incorporating the Excelsior Gold and Silver Mining Company of Colorado, approved the tenth day of April, one thousand eight hundred and sixty-seven.

Additional corporators.

SECTION 1. *Be it enacted, &c.*, That James Bradley, John P. Chew and John J. G. Bassler, be declared additional corporators, and they and their associates, or a majority of them, may have power to organize said company and to enjoy all the rights and privileges granted under said act.

Change of name authorized

SECTION 2. That the stockholders of said company be and they are hereby authorized to change the name and title of said company, which change shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of said company.

APPROVED—The 24th day of March, A. D. 1868.

JNO. W. GEARY.

No. 989.

An Act

To exempt from taxation, out-lot number one hundred and eleven, in the borough of South Erie, belonging to Saint John's church and congregation.

SECTION 1. *Be it enacted, &c.*, That so much of out-lot number one hundred and eleven, adjoining the city of Erie,

situate in South Erie, Pennsylvania, belonging to the Evangelical Lutheran and Evangelical Reformed German United congregation, upon which is erected the Saint John's church and parsonage, be and the same is hereby exempted from all and every county, city, borough, poor and school tax that may at any time hereafter be assessed upon the same, so long as the said lot shall be owned by the said congregation: *Provided*, That no portion of said lot, number one hundred and eleven, shall be exempt from taxation except that upon which the church and parsonage buildings stand.

APPROVED—The 27th day of March, A. D. 1868.

JNO. W. GEARY.

No. 990.

A Further Supplement

To the act incorporating the Amateurs' Drawing Room Association of the city of Philadelphia, approved the eighth day of March, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful for the said Amateurs' Drawing Room Association to carry out the object of their organization, as specified in the said act, and to increase the net fund, to be devoted, after defraying expenses, to the comfort, support and maintenance of widows, orphans, the sick, the wounded, or the destitute, by renting their building, from time to time, for any of the designated entertainments without a license from the state.

APPROVED—The 1st day of April, A. D. 1868.

JNO. W. GEARY.

No. 991.

An Act

To incorporate the Artisans' Building, Trust and Loan Company.

SECTION 1. *Be it enacted, &c.*, That Thompson Derr, John Peters, Stephen Lee, William J. Harvey, A. J. Davis, Elijah C. Wadhams, Marcus Smith and Washington Lee, Jr., and their associates, and all other persons who may hereafter become holders of the stock of this company, are hereby con-

Corporators.

Name.	stituted a body corporate and politic, with all the rights, privileges and powers incident to such, under the name, style and title of the Artisans' Building, Trust and Loan Company.
Object.	SECTION 2. That the object of this association shall be to furnish cheap and commodious dwellings for the rapidly increasing population of Luzerne county, and to enable mechanics, miners and laborers, by a system of assurance, loan and gradual payments, to possess and finally to own comfortable and well constructed homes.
Powers.	SECTION 3. That it shall be lawful for said corporation to purchase and hold real estate in fee simple, or for any less estate, and the same to improve, sell, lease, mortgage or otherwise dispose of, to erect buildings of any required description, to manufacture lumber and all other material required in the construction of buildings, and to make such rules, regulations and by-laws for the management of their business, for the number, conduct and duty of their officers, for elections, notices, and for the establishment of a beneficial system of rates, payments, interest and charges as may be considered necessary to carry out the objects of said association.
Further powers.	SECTION 4. That in order more fully to carry out their objects, said association shall have authority to insure the lives and property of its stockholders in such manner and on such terms as may be agreed upon, also to loan and borrow money, taking and using and giving the policies of such insurances as collateral security, and to make such other arrangements for the benefit of the stockholders and the security of the capital stock as may be deemed politic and in accordance with the objects of the association : <i>Provided</i> , That no insurance or loan shall be effected under the authority of this section, except with the stockholders of said company.
Capital stock.	SECTION 5. That the capital stock of said company shall consist of five thousand shares of twenty dollars each, with power to increase the same, from time to time, as may be deemed necessary : <i>Provided</i> , That the whole amount of such increase shall not exceed two hundred and fifty thousand dollars, and that said stock may be assessed and paid in in such instalments and in such manner, in real estate or personal property appropriate to the business of the association, as the stockholders may agree upon.
May borrow money and issue bonds.	SECTION 6. That said association shall have the power to borrow any sum or sums of money not exceeding the actual amount of their capital stock, and issue their bonds therefor, with or without coupons, on such terms and upon such rates as they may deem expedient ; and that it shall be lawful for said association to commence operations when one thousand shares of the stock shall have been subscribed and five per centum thereon paid in ; an affidavit of such subscription and payment shall be made by one of said corporators and furnished to the secretary of the commonwealth, whereupon letters patent shall be issued.
When operations may be commenced.	
Letters patent.	
Stock of other companies may be held by, &c.	SECTION 7. That it shall be lawful for said corporation to subscribe for, purchase and hold the stock of any gas, insu.

rance, manufacturing company or savings institution, located or doing business in Luzerne county, and that the capital stock of said corporation may be subscribed for, purchased and held by any other company incorporated under the laws of this commonwealth and doing business in Luzerne county.

SECTION 8. That said corporation shall pay to the state treasurer, for the use of the commonwealth, a bonus of one-half of one per centum upon their paid in capital, in four equal annual instalments, the first instalment to be paid within one year from the date of the organization of the company, and such taxes as companies of like character are now or may hereafter be liable for. Bonus and taxes.

SECTION 9. That the corporators herein named shall choose from their number five directors, one of whom shall be designated as president, to act until the next regular election shall be held, according to the provisions of the by-laws. Election of directors.

APPROVED—The 6th day of April, A. D. 1868.

JNO. W. GEARY.

No. 992.

An Act

To incorporate the South Side Railroad Company.

SECTION 1. *Be it enacted, &c.,* That Augustus Wolle, Felix W. Leinbach, James L. Selfridge, Daniel Berlin, Ambrose T. Ervin, Molten Goundie and Charles Brodhead, and their associates and successors, and other persons who shall become stockholders, be and they are hereby created a body politic and corporate by the name and style of the South Side Railroad Company, and by the said name shall have perpetual succession, and shall be in law capable of suing and be sued, pleading and be impleaded in all courts and jurisdictions whatsoever; and also of contracting and being contracted with relative to the business and objects of the said corporation; and they may have a common seal, and may alter the same at pleasure; and make rules and by-laws for the regulation and management of the said corporation, consistent with the laws of the commonwealth. Corporators.

SECTION 2. The capital stock of the said company shall be one hundred thousand dollars, divided into shares of fifty dollars each, with the privilege of increasing the same as may be necessary, not, however, to exceed the sum of six hundred thousand dollars; and the said company may borrow money, not to exceed the sum of six hundred thousand dollars, and issue, from time to time, bonds therefor in the corporate name and under the common seal of said company, in sums not less than one hundred dollars, either with or without coupons at- Name.
Privileges.
Capital stock.
May borrow money and issue and sell bonds.

How bonds may be secured. tached, payable at such times and on such terms and at such rate of interest, not exceeding ten per centum per annum, as they may deem expedient, and to sell such bonds at a less rate than the par value thereof, if deemed necessary; and may secure the payment of said bonds and coupons by a mortgage or mortgages upon the road, property, income, revenue, tolls, and also upon the franchises and corporate privileges of the said company.

Right to construct railroad. SECTION 3. That the said company shall have the right to construct a railroad from any point in Lehigh, Moore or Plainfield townships, Northampton county, Pennsylvania, by such route as they deem expedient to the Delaware river, and with the consent of the state of New Jersey may bridge the river Delaware, and connect with any railroad in said state, and may make such bridge a railroad, toll and passenger bridge, and levy and collect such tolls for wagons and foot passengers as the board of directors may deem proper, and said company may also build branches or extend their road so as to connect with any other railroad in Northampton and Lehigh counties.

Bridge Delaware river and connect with another road. SECTION 4. That if in the location of the said road or lateral roads, or in the building of the same, any injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner or person injured, the same shall be adjusted and settled according to the provisions of the eleventh section of an act, entitled "An Act regulating railroads," approved February nineteenth, one thousand eight hundred and forty-nine.

Build branches or extend road. SECTION 5. The stockholders shall annually, on the first Saturday in May, elect a president, and such a number of directors not less than four nor more than thirteen as the by-laws may provide, and the persons above mentioned shall be the first board of directors, one of whom shall be president, and they and all subsequent boards shall continue in office until their successors shall be elected.

How compensation for damages to be adjusted and settled. SECTION 6. That the president and directors shall procure certificates of stock, which, signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, which shall be transferable on the books of the company, under and subject to such conditions as the by-laws may prescribe, and in every election or meeting the stockholders shall be entitled to one vote for each share of stock held by him or them.

President and directors, election of, &c. SECTION 7. That if any stockholder, or his assignee, shall refuse or neglect to pay any installment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after such time, he shall, in addition to said installment, pay interest at the rate of five per centum per month for delay; and if the sum shall remain unpaid so that the penalty amounts to the sum paid in by the said stockholder, it shall be in the power of the said company to forfeit said stock and the amount paid thereon, to the use of said company.

Certificates of stock. SECTION 8. That upon the completion of said road authorized as aforesaid, or any portion thereof, or the lateral roads,

Votes. Failure to pay instalments.

the same shall be esteemed a public highway for the conveyance of passengers and transportation of freight, subject to such rules and regulations in relation to the same, and to the size and construction of wheels, cars and carriages, the weight of loads, and all other matters and things connected with the use of railroads, as the president and directors may prescribe and direct: *Provided*, That said company shall have the exclusive control of the motive power, and may from time to time establish, demand, receive such rates of toll or other compensation, for the use of said railroad, its branches and motive power, and for the conveyance of passengers, the transportation of merchandise and commodities, and the cars and other vehicles containing the same or otherwise passing over said road, and its branches, as to the president and directors may seem reasonable.

Upon completion of road, same to be esteemed a public highway.

Tolls for use of road, &c.

SECTION 9. That this charter shall be null and void unless the said railroad be commenced within six years, and finished within twelve years: *Provided*, That if any part of the same shall be finished and in working order within that time, the charter shall be valid to all intents and purposes, for the same as if the whole road had been finished.

Commencement and completion.

APPROVED—The 11th day of April, A. D. 1868.

JNO. W. GEARY.

No. 993.

An Act

Supplementary to an act to incorporate the Pennsylvania Musical Institute of Philadelphia, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six, changing the time of election of managers from the first Monday in May to the first Monday in January of each year.

SECTION 1. *Be it enacted, &c*, That the time of election of managers of the Pennsylvania Musical Institute of Philadelphia be changed to the first Monday in January of each year, and that the present managers shall remain in office until said period next ensuing, unless they shall vacate their position by resignation, in which case the vacancies shall be filled as otherwise provided.

APPROVED—The 13th day of April, A. D. 1868.

JNO. W. GEARY.

No. 994.

A Further Supplement

To an act to incorporate the South Mountain Railroad Company.

SECTION 1. *Be it enacted, &c.,* That the time specified for commencing the South Mountain railroad, incorporated by the act of assembly, approved the fifth day of May, Anno Domini one thousand eight hundred and fifty-four, and the supplement to the said act, approved the seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby extended for the term of five years from the passage of this act, and the time for completing the road be and is hereby extended for the term of ten years, and the said act of May fifth, Anno Domini one thousand eight hundred and fifty-four, and its supplements, are hereby revived.

APPROVED—The 14th day of April, A. D. 1868.

JNO. W. GEARY.

No. 995.

A Supplement

To an act to incorporate the Somerset Land Company, approved the nineteenth April, one thousand eight hundred and sixty-seven.

Authorized to
build branch rail-
roads.

SECTION 1. *Be it enacted, &c.,* That the Somerset Land Company shall have authority to build one or more branch railroads from their lands, to connect with any railroad now constructed or which may hereafter be constructed in Somerset county and the adjoining counties, not exceeding fifteen miles in length, and shall have all the powers and privileges, and be subject to all the restrictions, terms and conditions, which are authorized and imposed by the act regulating railroad companies, approved the nineteenth February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Authorized to
mine, manufac-
ture, &c.

SECTION 2. That said company shall have the right to mine and prepare for market, coal, iron-ore, fire-clay and other minerals, to manufacture iron, fire-brick, lumber and other products of their lands, and to transport them to market and dispose of them, and to make all such improvements and erections as shall be deemed for the interests of the company.

APPROVED—The 14th day of April, A. D. 1868.

JNO. W. GEARY.

APPENDIX—1869.

No. 996.

An Act

To incorporate the Lancaster County Insurance, Trust and Safe Deposit Company.

SECTION 1. *Be it enacted, &c.*, That David W. Patterson, Jacob K. Shenk, Samuel Eby, Joseph D. Hastings, and all other persons who shall hereafter become stockholders in the company incorporated, shall be a body corporate, by the name of the Lancaster County Insurance, Trust and Safe Deposit Company, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever.

Corporators

Name.

Privileges.

SECTION 2. That the purpose of this act is to organize an incorporated company and to authorize them, as such, to receive and hold, on deposit and in trust, estate, real and personal, including the notes, bonds, obligations and accounts of states and of individuals, and of companies and of corporations, and of the United States, and the same to purchase, collect and adjust and settle, and also to sell and dispose thereof in any market of the United States, or elsewhere, without proceeding in law or equity, and for such price and on such terms as may be agreed on between them and parties contracting with them; that the corporation hereby created shall also possess and have the power to make insurance for the fidelity of persons holding places of responsibility and of trust, and to receive, under the order of any court of this commonwealth, or without such order, from executors, administrators, assignees, guardians, or other trustees, and from individuals, partnerships, corporations, et cetera, any natural or artificial person, upon deposit for safe-keeping, packages of money, jewelry, plate, stock, bonds, deeds, titles and valuable things and property of every kind, upon terms to be prescribed by the by-laws of the said company: *Provided*, That nothing herein contained shall authorize said company to engage in the business of banking.

Corporate powers.

SECTION 3. The capital stock of said company shall consist of four hundred shares of stock of the value of fifty dollars each, being twenty thousand dollars, with the power and privileges to increase the same at any time by a vote of the stockholders, at an annual or special meeting, to any amount not exceeding five hundred thousand dollars; and the corporators, or a majority of them, named in the first section of this act, shall have power to open books for subscriptions at such times and places as they may deem expedient; and when not less than two hundred shares shall have been subscribed, and

Capital stock.

Subscriptions.

Election of directors.	<p>twenty per centum thereon shall have been paid in, the shareholders may elect five directors to serve until the next annual election, or until their successors shall be duly elected and qualified; and the directors so elected of said company, when it shall have been organized as provided by this act, may and they are hereby authorized and empowered to have and to exercise in the name and in behalf of the company, all the rights, and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to a pro rata share of such increase upon the payment of the par value of the same, or the payment of such percentage on such increased shares as may be required by the by-laws of the company.</p>
Power and authority of directors.	<p>SECTION 4. The principal office of the said company shall be in the city of Lancaster, but the directors under such rules and regulations as they may prescribe, may establish branches or agencies in other parts of the state of Pennsylvania; all of the directors of said company shall be citizens of the United States and of the state of Pennsylvania, and reside therein, and shall keep a record of their proceedings.</p>
Right of stockholders in case of increase of capital stock.	<p>SECTION 5. The directors shall be elected annually by the stockholders, on the second Tuesday of February, and such directors shall elect from their number, at the first meeting of the board after their election, a president and vice president, and shall have power to elect a treasurer and a secretary and such other officers, clerks and agents as the business of the company may require; all elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him or her; but no person shall be eligible as director who is not a stockholder to the amount of ten shares; at the annual or special meetings a quorum shall consist of stockholders owning at least one-third of the capital stock: <i>Provided however</i>, That the president, vice president, treasurer and secretary may all be at the same time directors, and the offices of president, treasurer and secretary may be held and exercised by one or more persons as the board may determine.</p>
Office.	
Branches.	
Directors to be citizens, &c.	
Annual election of directors.	
Officers, clerks and agents. Mode of election and votes	
Eligibility as director.	
Quorum.	
President, secretary, &c.	
Annual election, notice of and how conducted.	<p>SECTION 6. Ten days' notice shall be given by publication in two papers published in the city of Lancaster, of the time and place of the annual election, which election shall be conducted by three stockholders, one of whom shall act as judge and the other two as inspectors.</p>
By-laws.	<p>SECTION 7. The board of directors shall make all by-laws necessary for conducting the business of the company, which by-laws shall at all times be posted up in the place or places of business of said company, and accessible to all persons transacting business with them; the directors shall have power to require payment of the amount remaining unpaid on the stock of said company, at such time and in such proportions or assessments as they shall think proper, and under the penalty, in case of non-payment as required, of forfeiture</p>
Payment of amounts remaining unpaid on stock.	

to the company of such stock and all previous payments thereon; the said assessment to be made as the by-laws of said company shall direct.

SECTION 8. That any executor, administrator, guardian or other trustee having the custody or control of any bonds, stocks, securities, or other valuables belonging to others shall be authorized to deposit the same for safe-keeping with said company.

Executors, guardians, &c., may deposit valuables with.

SECTION 9. That the stockholders of any annual or special meeting, called for that purpose, may increase the number of directors to any number not exceeding thirteen.

Number of directors may be increased.

SECTION 10. That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes.

APPROVED—The 19th day of March, A. D. 1869.

JNO. W. GEARY.

No. 997.

An Act

To release the collateral inheritance tax on a certain bequest of George W. Fahnestock to the Historical Society of Pennsylvania.

WHEREAS, George W. Fahnestock, of the city of Philadelphia, by his last will and testament, bequeathed to the Historical Society of Pennsylvania, certain pamphlets, on which bequest, by existing laws, there is due the commonwealth the sum of two hundred and forty dollars; therefore,

SECTION 1. *Be it enacted, &c.*, That the collateral inheritance tax on a certain bequest made by George W. Fahnestock of Philadelphia, to the Historical Society of Pennsylvania, be and the same is hereby released, and the said society exonerated from the payment of the same.

APPROVED—The 20th day of March, A. D. 1869.

JNO. W. GEARY.

No. 998.

An Act

To incorporate the Pennsylvania Boiler Insurance Company.

SECTION 1. *Be it enacted, &c.*, That George Truman, Junior, W. W. Moore, George W. Heston, Charles E. Graeff, John C. Sleeper, James Kirkpatrick, J. Morris Harding, and their associates, or any five of them, be and they are hereby

Corporators.

created a body politic, by the name, style and title of the Pennsylvania Boiler Insurance Company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name, property, real, personal and mixed, and of using and applying such property for the purpose of insuring against loss by the explosion of steam boilers, upon such terms as may be agreed upon by the contracting parties.

Further powers. SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock, in such form and subject to such regulations as they may from time to time by their by-laws prescribe, and to regulate and prescribe in what manner their contracts and obligations shall be executed.

Capital stock. SECTION 3. That the capital stock of said company be fixed at five hundred thousand dollars, with power to increase the same, from time to time, when approved by a majority of the stockholders, in writing, not to exceed in the aggregate the sum of one million dollars; and whenever ten per cent of the capital stock of said company shall be paid in, the said company may organize and commence the business of insurance.

When business may be commenced. SECTION 4. This corporation shall pay one fourth of one per centum upon their capital stock, in like manner as required by other corporations, and upon all increase of capital whenever any increase may be required for the purposes of the corporation and so declared; that the principal office of said company shall be in the city of Philadelphia; and that said company shall at all times be liable to taxation, in the same manner and to the same extent as may be from time to time imposed upon like corporations.

Office. SECTION 5. That the corporators named in this act shall elect persons to serve as directors, and a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.

Liability to taxation. APPROVED—The 3d day of April, A. D. 1869.

First Directors. JNO. W. GEARY.

No. 999.

An Act

For the relief of the Farmers' National Bank of Reading.

WHEREAS, The banks of this commonwealth were required by law to advance gold to the state in exchange for currency, in order to enable the state to pay its interest in coin :

And whereas, The Farmers' Bank of Reading now the Farmers' National Bank of Reading, advanced the gold required of it, and also the additional sum of ten thousand dollars, so as to enable the state to pay its interest in coin as aforesaid :

And whereas, The state issued certificates by which it agreed to return in coin, the amount so borrowed of said banks, which certificates the banks were requested to surrender on merging into national banks :

And whereas, It is unjust to said Farmers' National Bank of Reading, that advanced a greater amount of its coin than was its *pro rata*, to require of it to surrender said excess to the state, especially as the state imposed additional burdens on her banking institutions, when changing into said national banks ; therefore,

SECTION 1. *Be it enacted, &c.*, That the state treasurer is hereby authorized and required to pay to the Farmers' National Bank of Reading, out of any moneys remaining unappropriated in the state treasury, the sum of four thousand dollars, being forty per centum on the excess of gold furnished the state in accordance with the act of assembly, approved the thirteenth day of January, one thousand eight hundred and sixty-three, and the supplements thereto, by the said Farmers' National Bank of Reading, whilst operating as a state bank under the name, style and title of the Farmers' Bank of Reading : *Provided*, The auditor general shall first be satisfied that the said claim is just.

APPROVED—The 15th day of April, A. D. 1869.

JNO. W. GEARY.

No. 1000.

An Act

To authorize the Associate Congregation, in the city of Philadelphia, to sell and convey certain real estate.

SECTION 1. *Be it enacted, &c.*, That the trustees of the Associate Congregation, in the city of Philadelphia, be and are hereby authorized to sell and convey certain real estate

belonging to said congregation, located in Budd street, west of Thirteenth street, in said city, in such manner as may be deemed best, and with the proceeds thereof remove the bodies there interred to Mount Moriah cemetery, located in the Twenty-seventh ward of said city.

APPROVED—The 26th day of April, A. D. 1869.

JNO. W. GEARY.

No. 1001.

A Further Supplement

To an act to incorporate the Ridge Avenue and Manayunk Passenger Railway Company, approved March twenty-eighth, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted, &c.*, That the Ridge Avenue and Manayunk Passenger Railway Company shall have authority and are hereby authorized to lay and use a track from Columbia Avenue to Twenty-second street; thence along Twenty-second street to Master street, and thence along Master street to Seventh street.

APPROVED—The 3d day of May, A. D. 1869.

JNO. W. GEARY.

No. 1002.

An Act

Authorizing the Cranberry Coal Company to buy and sell coal.

SECTION 1. *Be it enacted, &c.*, That the Cranberry Coal Company be and it is hereby authorized to buy coal, and to transport the same to market, and sell or otherwise dispose of the same as if it were the product of said company's mines.

APPROVED—The 3d day of May, A. D. 1869.

JNO. W. GEARY.

APPENDIX—1870.

No. 1003.

An Act

To incorporate the Valley Farmers' Mutual Fire Insurance Company of Luzerne county.

SECTION 1. *Be it enacted, &c.,* That Charles Dorance, P. Pettibone, Daniel Harding, J. B. Jones, Isaac Carpenter, William Heisler, S. Jenkins, Anson A. Church, Daniel Jones, George Coray, Calvin Parsons, John Sharps, Isaac Tripp, Henry Woodhouse, George Miller, and all other persons who may hereafter be associated with them in the manner hereafter prescribed, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate by the name, style and title of the Valley Farmers' Mutual Fire Insurance Company of Luzerne county, and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels, of what kind soever, and the same to sell and dispose of, from time to time; and also to make and have one common seal; and also to ordain, establish and put in execution such by-laws as shall appear necessary for the government of the corporation, not being contrary to this charter or the laws of the United States or of this commonwealth: *Provided*, That the clear yearly value or income of the said corporation and the interest of money loaned by it shall not exceed the sum of two thousand dollars.

Corporators.

Title.

Powers and privileges.

Income limited.

SECTION 2. The object and business of the said company shall and is hereby prescribed to be the insurance of their respective dwelling houses, barns and other buildings, household furniture, goods and chattels and other property against loss or damage occasioned through any unavoidable accident by fire; this company shall be and is restricted to farm buildings and their contents.

Object and business.

Restriction.

SECTION 3. All persons who shall hereafter insure with the said corporation, and also their heirs, executors, administrators and assigns, continuing to be insured in the said corporation, as is hereinafter provided, shall hereby become members thereof during the period they shall remain insured, and no longer.

Membership

SECTION 4. The affairs of the said company shall be managed by a board of directors, consisting of from nine to thirteen members, to be elected and chosen as hereinafter

Management.

Officers.	provided, which board shall elect from their own number one person as president and one person as secretary; they shall also elect or appoint a treasurer, of whom they shall require such security as they may provide by their by-laws; and may employ such other officers as may be necessary for the transaction of the business of the company; and shall also determine the rates of insurance, and the sum to be insured, and the sum to be deposited for any insurance; a majority of the said board shall constitute a quorum to do business.
Rates of insurance, &c.	
Quorum.	
Election of directors.	SECTION 5. The members of the company shall, upon thirty days' notice in one newspaper published in the county of Luzerne, meet at their office, in the village of Wyoming, on the last Saturday of November in each year, for the purpose of holding an election for directors, and such election shall be held under the inspection of three members; such election shall be by ballot, a majority of the votes given shall elect, and the directors so elected shall continue in office until the third Saturday in November in the succeeding year, or until others are elected; each member to be allowed one vote and no more; no vote shall be given by proxy; all vacancies occasioned may be filled by the board until the next election.
Vacancies.	
Deposit of promissory note by members.	SECTION 6. Every person who shall become a member of said corporation, by effecting insurance therein, shall, before he or she receive their policy, deposit a promissory note with approved security; a part not exceeding ten per centum of said note shall be immediately paid, and the remainder of said deposit note shall be payable in part or the whole at any time when the directors shall deem the same requisite for the payment of losses by fire; and at the expiration of the term of insurance, the said note, or such part of the same as shall remain unpaid, after deducting all losses and expenses incurred during said term, shall be relinquished and given up to the maker thereof; and it shall be lawful for said corporation to loan such portion of their money on hand as may not be immediately wanted for the purpose of said corporation, to be secured by judgment or mortgage, or upon other good and sufficient security.
Payments on.	
To be returned on expiration of term of insurance.	
Loan of moneys.	
When policies to be surrendered.	SECTION 7. When any property insured with this corporation shall be aliened by sale or otherwise, the policy shall thereafter be void and of no effect, and shall be surrendered to the directors to be cancelled, and upon such surrender the insured shall be entitled to receive his or her deposit note on payment of his or her proportion of losses and expenses accrued prior to such surrender; but the alienee or grantee having the policy assigned to him may, upon proper application, have the same ratified and confirmed to him for his own proper use and benefit, and from the time of such ratification shall be entitled to all the rights and privileges, and be subject to all the liabilities to which the original party to whom the policy was issued, was entitled and subject under this act.
Assignment of policies.	
Liability of members.	SECTION 8. Every member of said corporation shall be bound to pay for losses and damage, and such necessary expenses aforesaid, accruing in said corporation in proportion to the amount of his or her deposit note.

SECTION 9. Suits at law may be maintained by said corporation against any of its members for the collection of said deposit notes, or any assessment thereon, or for any other cause relating to the business of said corporation; also, all suits may be prosecuted and maintained by any member against said corporation for losses or damages by fire, if payment be withheld or refused more than three months after the company are duly notified of such losses; no member of the company not being in his individual capacity a party to the suit or suits, shall be incompetent as a witness, on account of his being a member of the company.

SECTION 10. In case it shall be found necessary to assess a tax on the deposit or premium notes, a meeting of the board of directors shall be called, who shall fix the amount to be assessed, and the secretary shall assess the same on the premium notes in proportion to their amounts, notice of which assessment shall be given to the drawers of said deposit notes, to pay the same to the treasurer within sixty days after the publication of said notice; on neglect or refusal to pay the same sum assessed upon him or her as a proportion of any loss as aforesaid, in such cases said company may sue for and recover the whole amount of his or her deposit note or notes, with costs of suit; and the amount thus collected shall remain in the treasury of said company, subject to the payment of such losses as have or may accrue hereafter, and the balance, if any remain, shall be returned to the party from whom it was collected after he shall have surrendered his policy and ceased to be a member of the company.

SECTION 11. At the annual meeting of the company, the directors shall pass all such by-laws, rules and regulations necessary for the well government of the affairs of said corporation; it shall also be the duty of the secretary and president of such annual meeting, to submit a statement of the affairs of the said company.

SECTION 12. The persons named in the first section shall constitute the board of directors of said company until the last Saturday of November next, or until others are elected, with power to fill vacancies and adopt such necessary by-laws and regulations as may be proper for the government of said company.

SECTION 13. This act shall take effect immediately after its passage, but the legislature of this commonwealth may at any time alter, modify or annul its provisions in such manner, however, as to do no injustice to the corporators.

APPROVED—The 1st day of March, A. D. 1870.

JNO. W. GEARY.

Suits by and against company.

Assessment of tax on premium notes.

Failure to pay assessments.

By-laws, &c.

Statement of affairs.

First board of directors.

Act, when to take effect, &c.

No. 1004.

An Act

To annul the marriage contract between Frank Barrett and Elizabeth,
his wife.

SECTION 1. *Be it enacted, &c.,* That the marriage contract entered into between Frank Barrett and Elizabeth, his wife, late of the county of Clearfield, be and the same is hereby annulled and made void, and the said parties released, set free and discharged from said contract, and the duties and obligations thereunder, as fully, effectually and absolutely as if the said contract had never been made.

APPROVED—The 3d day of March, A. D. 1870.

JNO. W. GEARY.

No. 1005.

An Act

To incorporate the Philadelphia Banking and Savings Deposit Company.

Corporators.

Name.

Powers and privileges.

SECTION 1. *Be it enacted, &c.,* That H. H. Houston, W. M. Taylor, Geo. W. Harris, Geo. W. Hutchinson, John Welsh, Peter Armbruster, together with such other persons as shall become stockholders in the said bank, shall be and are hereby created a corporation and body politic by the name and style of the Philadelphia Banking and Savings Deposit Company, and shall so continue until the first day of January, Anno Domini one thousand eight hundred and ninety, and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain to them and their successors, such real estate as may be necessary for the transaction of their business, together with such as may be held by said bank as security for debts or in satisfaction thereof, and the same to grant, mortgage or demise; also to make, have and use a common seal and the same to alter and renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of the state or of the United States.

SECTION 2. That it shall be lawful for the said bank to receive deposits of money from individuals and corporations, and to allow such interest for money so received, as may be agreed upon between said bank and said depositors; to loan out the same, together with other moneys they may have, by discounting or purchasing negotiable notes, drafts and bills of exchange, and to issue certificates for said deposits.

Banking privileges.

SECTION 3. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as treasurer and financial agents of charitable and religious institutions and corporations, and as financial agent of state and city governments, and of counties in the management of their business, and shall give security to such institutions and governments for the faithful performance of the duties required.

May act as financial agent.

SECTION 4. It shall be lawful for said bank to borrow money, but not in excess of its capital stock subscribed, and to secure the same by mortgage on its real and personal property, or pledge of stock, or bonds, or otherwise, and on such time as a majority of the directors may deem expedient.

May borrow money

SECTION 5. That the capital stock of said bank shall be one million dollars, with the privilege of increasing the same to any sum not exceeding three millions of dollars, which shall be paid in such instalments as the said bank shall by its by-laws direct: *Provided*, That the said bank may commence operations as soon as the sum of two hundred thousand dollars of the capital stock shall have been paid in.

Capital stock.

When business may be commenced.

SECTION 6. That the affairs of said bank shall be conducted by a president and six directors, to be chosen as hereinafter directed and provided for; that the said president and directors, or a majority of them, shall elect a cashier, and such other officers as they may deem necessary, and fix the compensation of the same; and all officers shall give bonds with good sureties in such sums as may be required by said board, for the faithful performance of their duties.

Management.

President and other officers.

Officers to give security.

SECTION 7. That the said bank shall keep its office in some suitable place in the city of Philadelphia, and on the first Monday of May, after the acceptance of this charter, and on the first Monday of May annually thereafter, after two weeks' previous notice, the stockholders shall convene at the office of the bank, and by ballot elect one person for president, and six persons as directors, who shall continue in office one year. That in the election for president and directors the said stockholders shall be governed by the general laws of the commonwealth regulating the manner of conducting elections in banks and savings institutions, and the number of votes to which the several stockholders shall be entitled so the same may be applicable: *Provided however*, That no person shall be elected president or director in said bank who is not a stockholder therein, and that all vacancies occasioned by death, resignation or refusal to serve, shall be supplied in such manner as said bank may by by-laws direct.

Office.

Election of president and directors

Vacancies.

SECTION 8. That the said bank shall pay into the treasury of the commonwealth, in four equal annual instalments, a bonus of one-half of one per centum upon the capital stock

Bonus and taxes.

paid in, the first payment to be made in one year from the date of the organization of the said bank, and a like bonus upon any increase of the capital that may be authorized by the directors and paid in any time thereafter, and such other taxes as are now or may hereafter be required by law.

Not subject to certain restrictions.

SECTION 9. That so long as said bank shall not be a bank of issue it shall not be subject to the restrictions provided in section seventeenth of an act, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and section first of an act, entitled "A further supplement to an act regulating banks," approved April twenty-second, Anno Domini one thousand eight hundred and fifty-four.

Reservation.

SECTION 10. That the legislature hereby reserves the power to alter, revoke or annul the charter of said bank whenever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be to the corporators: *Provided*, That the stockholders shall be individually liable to the amount of the capital stock respectively held by them in said institution, and that this charter shall continue for twenty years.

Individual liability.

Limitation.

APPROVED—The 11th day of March, A. D. 1870.

JNO. W. GEARY.

1006.

An Act

To incorporate the Western Mining Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That James W. Myers, A. C. Shipley and Henry G. Swentzell, their associates, successors and assigns, be and they are hereby authorized and empowered to form and be a body corporate to be known as the Western Mining Company, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Western Improvement Company, by act of the legislature of Pennsylvania approved the thirty-first day of March, one thousand eight hundred and sixty-nine.

Name.

Powers, privileges, &c.

Stockholders may change name and locate general office.

SECTION 2. That the stockholders of said company, by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

APPROVED—The 29th day of March, A. D. 1870.

JNO. W. GEARY.

No. 1007.

An Act

To incorporate the Juniata and Potomac Railroad Company.

SECTION 1. *Be it enacted, &c.,* That John Fulton, John M'Killips, Daniel J. Morrell, Cyrus Elder, John F. Lowry, James Eichelberger, C. W. Ashcom, Daniel Sams, Jacob B. Williams, William Masters, P. G. Morgret, James M. Barn-dollar, John A. Gump, James A. Mann, Bernard Steckman, William Adams, Samuel L. Russell and Thomas A. Scott, all of the state of Pennsylvania, and James Wilson and John Wilson of the state of Maryland, or any five of them, be and they are hereby appointed commissioners to open books and receive subscriptions, and organize a company by the name, style and title of the Juniata and Potomac Railroad Com-
Commissioners
Title.
Power to construct railroad.

pany, with power to construct a railroad from a point on the Huntingdon, Broad Top Mountain railroad at or near Bloody Run, in Bedford county, thence through Black valley to the Maryland line, near the farm of Mr. Wilson, or at such place as the directors may deem advisable, and to connect the same with any road or roads authorized by the state of Maryland.
Capital stock.

SECTION 2. That the capital stock of said company shall consist of nine thousand five hundred shares, of fifty dollars each, which said capital stock may be increased, if the exigencies of the company shall require it, to any sum not exceeding seven hundred thousand dollars, as the president and directors of said company may deem expedient.

SECTION 3. That the directors of said company be authorized to borrow, from time to time, such sums of money as to them may seem necessary, to provide for the construction and equipment of said railroad, and to issue bonds therefor in sums not less than one hundred dollars each, at a rate of interest not to exceed seven per centum per annum, to be redeemed at such time and place as the directors may agree upon, and may secure the same by one or more mortgages, from time to time, upon the whole or any part or parts of said railroad hereby authorized, and upon all or part of the estate, real and personal, acquired or to be acquired, thereto belonging, and upon all of the corporate franchises thereof, or such part as may be mortgaged.
Directors authorized to borrow money and issue bonds.

SECTION 4. That the said Juniata and Potomac Railroad Company shall be in respect to the construction of its road, entitled to all the privileges conferred by and be governed by all the restrictions contained in the act, entitled "An Act regulating railroad companies," approved the nineteenth of February, one thousand eight hundred and forty-nine, and shall be entitled to all the rights conferred by all the general laws of the commonwealth relating to railroad companies.
Privileges.

APPROVED—The 4th day of April, A. D. 1870.

JNO. W. GEARY.

No. 1008.

A Further Supplement

To an act, entitled "An Act to incorporate the Monongahela Valley Railroad Company," approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-seven, to fix the number of officers and the time of their election.

Election of president, vice president and directors.

SECTION 1. *Be it enacted, &c.*, That the stockholders of the Pittsburg, Virginia and Charleston Railway Company (formerly the Monongahela Valley Railroad Company) be and they are hereby authorized and required to elect a president, vice president and five directors, on the first Tuesday of May next, to serve for one year, and so every year thereafter, the said election to be held at the office of the said company in Pittsburg.

Repeal.

SECTION 2. All laws and parts of laws inconsistent herewith be and the same is hereby repealed.

APPROVED—The 6th day of April, A. D. 1870.

JNO. W. GEARY.

No. 1009.

An Act

To incorporate the Erie County Telegraph Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That D. Rockheimer, L. C. Chamberlain and R. Woolman be and they are hereby created a body politic and corporate by the name, style and title of the Erie County Telegraph Company, and as such shall have perpetual succession and all the necessary powers and privileges to organize a company for the construction and maintenance of telegraph lines and offices, and fixtures, within the limits of the county of Erie; and may connect such lines with those of any adjoining state; and in the construction and maintenance of such lines may secure the right of way and organize their company in the same manner as is provided by the third and ninth sections of an act to incorporate the Eastern Telegraph Company, approved fifth April, one thousand eight hundred and sixty-six.

Title.

Powers and privileges.

How right of way may be secured, and company organized.

SECTION 2. That the capital stock of the said company shall be one thousand shares, of twenty-five dollars each, with power to increase the same to an extent deemed necessary to complete the lines of the company.

SECTION 3. That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now, or may hereafter be required by law. Capital stock.

SECTION 4. That a majority of the corporators above named shall elect four directors, to hold office until their successors shall be elected, in such manner and at such time as the by-laws of said company may prescribe. Bonus and taxes.
Election of directors.

APPROVED—The 13th day of April, A. D. 1870.

JNO. W. GEARY.

No. 1010.

An Act

To incorporate the Mechanics' Life Insurance and Trust Company of Schuylkill county.

SECTION 1. *Be it enacted, &c.,* That Joel B. M'Camant, A. Bentholomen, Thomas Eagan, D. E. Nyce, Thomas H. Walker and all others who may be hereafter associated with them and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate by the name, style and title of the Mechanics' Life Insurance and Trust Company of Schuylkill county, with all the rights, privileges and be subject to all the restrictions set forth in the act, entitled "An act to incorporate the Schuylkill Haven Mutual Life and Health Company of Schuylkill Haven," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty, and the supplement thereto, approved the seventeenth day of February, Anno Domini eighteen hundred and fifty-four. Corporators.

Title.
Rights, privileges, &c.

SECTION 2. The business of the said corporation shall be carried on in Pottsville, Schuylkill county. Location.

APPROVED—The 13th day of April, A. D. 1870.

JNO. W. GEARY.

No. 1011.

An Act

To incorporate the Keating Improvement Company.

SECTION 1. *Be it enacted, &c.,* That Lucius Rogers, A. B. Hamilton, S. A. Bachus, J. C. Barr, Henry Hamlin, J. J. Dull, their associates, successors and assigns, be and they are hereby authorized and empowered to form and be a body corporate, to be known as the Keating Improvement Company, Corporators.

Name.

Powers, privileges, &c.

which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Continental Improvement Company by act of the legislature of Pennsylvania, approved the thirteenth day of April, one thousand eight hundred and sixty-eight, and the supplements thereto.

Stockholders may change name and locate general office.

SECTION 2. That the stockholders of said company, by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company, and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

APPROVED—The 16th day of April, A. D. 1870.

JNO. W. GEARY.

No. 1012.

An Act

To incorporate the Mountain Contract Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That J. B. Walters, G. L. Reed, John M. Adams, Frank Fielding, James K. P. Hall and C. F. Burleigh, and their associates, successors and assigns, be and they are hereby created and constituted a body corporate to be known as the Mountain Contract Company, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Continental Improvement Company by act of the legislature of Pennsylvania, approved the thirteenth day of April, one thousand eight hundred and sixty-eight, and the several supplements thereto.

Name.
Powers, privileges, &c.

Stockholders may change name and locate general office.

SECTION 2. That the stockholders of said company, by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of said company, and the corporators named in the first section of this bill be and they are hereby constituted the directors of said corporation for one year from this date, and until their successors are elected.

Corporators constituted first directors.

APPROVED—The 26th day of April, A. D. 1870.

JNO. W. GEARY.

No. 1013.

A Further Supplement

To an act, entitled "An Act to incorporate the Somerset Land Company," approved the twelfth April, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted, &c.,* That the Somerset Land Company shall have authority to hold a portion of the lands which they are empowered to purchase in the counties of Clearfield and Centre, and the said company shall have authority to change the name and title of the company, which change shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the secretary, under the corporate seal of the company.

APPROVED—The 9th day of May, A. D. 1870.

JNO. W. GEARY.

No. 1014.

A Supplement

To an act to incorporate the Caledonia and South Mountain Railroad Company.

SECTION 1. *Be it enacted, &c.,* That the time for the commencement of the Caledonia and South Mountain Railroad be and the same is hereby extended for three years from the passage of this act, and the rights, powers, privileges and franchises of said company, and subscriptions to the capital stock thereof shall in no wise be affected by the failure of said company to commence the work upon their railroad within the time prescribed in the charter of incorporation, but shall be valid and binding as if all the provisions of said charter had been fully complied with.

Time for commencement of road extended.

SECTION 2. That said company may commence the work upon any portion of their railroad or any branch thereof, and they may extend the said railroad or construct a branch therefrom to Dillsburg or its vicinity, in the county of York.

May commence work on any portion of road. Extend road to Dillsburg.

SECTION 3. That the subscribers to the capital stock of said company, and such persons as may in the meantime become subscribers, shall at their next meeting, to be called by their chairman, adopt by-laws for the government of the corporation, and elect a president and board of directors, which board shall consist of not less than four, or more than six stock-

Subscribers to stock to adopt by-laws, and elect president and directors.

Directors may
issue preferred
stock.

holders, without including the president, who shall be *ex-officio* a member and president of the board; and the board of directors may make and issue preferred stock upon such terms and conditions as they may deem expedient.

SECTION 4. That the said company during the construction of their railroad, and for that purpose shall have all the rights, powers and privileges and be subject to all the provisions and restrictions of an act regulating railroad companies, approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine.

Repeal.

SECTION 5. That the organization of said company in accordance with the provisions of this act, shall supply all defects and remedy all informalities which may have occurred prior to such organization, and that all acts or parts of acts inconsistent with the provisions of this act be and they are hereby repealed so far as they relate to this company.

APPROVED—The 17th day of June, A. D. 1870.

JNO. W. GEARY.

APPENDIX—1871.

No. 1015.

An Act

To legalize the capital stock of the Homestead Building and Savings Association, and the Schiller Building and Savings Association of the city of Reading, Berks county.

SECTION 1. *Be it enacted, &c.*, That the Homestead Building and Savings Association of the city of Reading, Berks county, of six hundred thousand dollars, and the issuing of stock at three hundred dollars per share, and the capital stock of the Schiller Building and Savings Association of the same place, of six hundred and sixty thousand dollars, and the issuing of stock at five hundred dollars per share, be and the same is hereby legalized and made valid, and that their several charters shall have the same force and effect and remain good and valid in law, in the same manner as if the acts of general assembly heretofore passed had provided for the said several amounts of capital and the issuing of stock as aforesaid.

APPROVED—The 20th day of February, A. D. 1871.

JNO. W. GEARY.

No. 1016.

A Further Supplement

To an act incorporating the Bethlehem Street Railway Company, approved April twelfth, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted, &c.*, That the said Bethlehem Street Railway Company shall have one year from the date of this act to commence their said road, and that the bonds authorized to be issued by the act to which this is a supplement, may be made convertible into stock of the company, common or preferred, upon such terms as may be agreed upon by the company and the bondholders.

APPROVED—The 1st day of March, A. D. 1871.

JNO. W. GEARY.

No. 1017.

An Act

To exempt certain property of the Sisters of Charity, in the city of Erie, from taxation.

WHEREAS, The grounds and buildings on Second street, in the city of Erie, belonging to the Sisters of Charity of the Catholic church, and used by them for the care of orphan children, and for other charitable purposes, were exempted from all taxation by an act, entitled "An Act to exempt the grounds and buildings of the Sisters of Charity, in the city of Erie, from taxation:"

And whereas, Said Sisters of Charity have sold said grounds, and have purchased in-lots numbers three thousand two hundred and forty-nine, three thousand two hundred and fifty, three thousand two hundred and fifty-one, and three thousand two hundred and fifty-two, between Second and Third streets in Erie, and are about erecting more commodious buildings thereon for the care of orphan children, and for other charitable purposes.

SECTION 1. *Be it enacted, &c.*, That the said in-lots numbers three thousand two hundred and forty-nine, three thousand two hundred and fifty, three thousand two hundred and fifty-one, and three thousand two hundred and fifty-two, in Erie, be and the same are hereby exempted from all taxation, so long as they remain in the possession and are used for the care of orphan children, or for other charitable and educational purposes; and all taxes assessed thereon for the year one thousand eight hundred and seventy-one, are hereby remitted; and any adjoining property the said Sisters of Charity may hereafter use for like purposes shall, in like manner, be exempted from taxes.

APPROVED—The 9th day of March, A. D. 1871.

JNO. W. GEARY.

No. 1018.

An Act

To incorporate the Philadelphia Masonic Manufacturing and Publishing Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That W. H. Jeffreys, W. W. Goodwin, T. L. Lockerman, G. H. Gibbs, E. Hutchinson and their associates, shall be and they are hereby declared a

body politic and corporate under the name and style of the Masonic Manufacturing and Publishing Company, to have perpetual succession, to sue and be sued, to plead and be impleaded in all courts of law and equity, to take, hold, possess and enjoy lands, tenements, hereditaments, goods, chattels, rights and credits, to have and use a common seal, and change and renew the same at pleasure, and generally to have all the other incidents of a corporation.

SECTION 2. That the objects of the said corporation shall be the manufacture and sale of masonic and other regalia and equipments, as also the publication and sale of masonic works.

SECTION 3. That the said corporation shall have full power and authority to make all needful rules and by-laws for the government of said corporation, and to alter and amend the same as they may deem expedient: *Provided*, That no rule or by-laws, as aforesaid, shall be repugnant to or inconsistent with the laws of the United States or of this commonwealth.

SECTION 4. That the government of said corporation, and the management and direction of its affairs and property, shall be vested in a board of six directors, who shall be elected annually at such times and in such manner as the constitution and rules of said corporation may direct; at the first meeting of said board of directors, after their election, in every year, they shall elect a president, vice president, secretary and treasurer; the said persons hereinbefore named, are hereby constituted the said board of directors, and shall continue to hold their offices until the first election after the issuing of this charter in accordance with the provisions of the constitution.

SECTION 5. That the capital stock of said company shall consist of one thousand shares of fifty dollars each, with the privilege of increasing the same to an amount not exceeding two thousand shares, and the said company shall pay into the state treasury a bonus of one-half of one per centum upon said capital stock, and such increase, in four equal annual payments, the first payment to be made in one year after the passage of this act.

APPROVED—The 10th day of March, A. D. 1871.
JNO. W. GEARY.

No. 1019.

An Act

To incorporate the Empire Contract Company and define the powers thereof.

SECTION 1. *Be it enacted, &c.*, That R. D. Barclay, S. S. Moon and J. B. Ecclesine, their associates, successors and assigns, or a majority of them, be and they are hereby au-

Name.	thorized to form and be a body corporate, to be known as the Empire Contract Company, and by that name, style and title to have perpetual succession, and all the privileges and franchises incident to a corporation.
Rights, powers, &c.	SECTION 2. The said corporation shall also have, exercise and enjoy the same rights, powers, privileges, franchises and immunities as are conferred in and by an act of assembly of this commonwealth, entitled "An Act to incorporate the Pennsylvania company," approved on the seventh day of April, in the year of our Lord one thousand eight hundred and seventy, as if the same were herein specially and particularly set forth.
Further rights, powers, &c.	SECTION 3. The said corporation shall also have, exercise and enjoy the same rights, powers, privileges, franchises and immunities as are conferred by a supplement to the said last mentioned act of assembly, approved on the eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one, as if the same were herein specially and particularly set forth; and that the stockholders of said company, by and with the consent of the holders of at least two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company, and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of said company.
Stockholders may change name and locate general office.	

APPROVED—The 22d day of March, A. D. 1871.

JNO. W. GEARY.

No. 1020.

An Act

To incorporate the Bethlehem Trust and Safe Deposit Company.

Corporators.	SECTION 1. <i>Be it enacted, &c.,</i> That G. B. Linderman, Samuel C. Shimar, Charles Brodhead, James L. Selfridge, Henry Seaman and Samuel Reigel be and they are hereby incorporated as a body politic and corporate, under the name, style and title of the Bethlehem Trust and Safe Deposit Company, to be located in the borough of Bethlehem, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever.
Title	
Location.	
Privileges.	
Corporate powers.	SECTION 2. That the said corporation shall have power to receive upon deposit, for safe-keeping, jewelry, plate stocks, bonds and valuable property of every kind, upon terms to be prescribed by the by-laws of such corporation; and in addition to receiving the above deposits the said corporation shall have power to receive and hold on deposit and in trust, as se.

curity, guardian, trustee or executor, or otherwise, on such terms as may be agreed on between the contracting parties, estate, real or personal, and shall have power to dispose of the same by sale, lease or otherwise, according to the terms of said agreement, and also to purchase, collect, adjust, settle, sell and dispose of notes, bonds, obligations and accounts of states, companies, corporations, executors, guardians, administrators and individuals in any place, without proceedings in law or equity, or on such terms as may be agreed on between this company and the parties contracting with it.

SECTION 3. The capital stock of the said company shall be two hundred and fifty shares, of one hundred dollars each, with power to increase the same to one thousand shares, of one hundred dollars each; the board of directors shall consist of not less than three nor more than thirteen, at the option of the stockholders; and the persons above named shall be the first board of directors, and they and all subsequent boards shall continue in office until their successors are elected, at such times as the stockholders, at their meetings, shall direct; and such directors may and they are hereby authorized and empowered to have and to exercise, in the name and in the behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares of the stock of the company held by them.

SECTION 4. The said company shall pay to the state treasurer, for the use of the state, a bonus of one-half of one per cent. on the capital stock of said company or any increase thereof, payable in four equal annual instalments.

APPROVED—The 4th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1021.

An Act

To incorporate the Columbia Trust and Safe Deposit Company.

SECTION 1. *Be it enacted, &c.*, That Joseph S. George, J. H. Wilson, William Mooney, J. H. Cramer, H. Stellwagen, and all others who may be associated with them hereafter, and their successors, shall be and they are hereby constituted and declared a body politic and corporate, by the name, style and title of the Columbia Trust and Safe Deposit Company of Pennsylvania, with all the rights and privileges, and subject to all the restrictions, set forth in the act, entitled "An Act to incorporate the Franklin Saving Fund and Safe Deposit

Company," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 2. The business of the said corporation shall be carried on at such place or places, in the county of Philadelphia, as the directors shall direct and determine.

APPROVED—The 4th day of May, A. D. 1871.
JNO. W. GEARY.

No. 1022.

An Act

To incorporate the West Ward Passenger Railway Company in Northampton County.

Commissioners.	SECTION 1. <i>Be it enacted, &c.,</i> That M. Hale Jones, Theodore R. Sitgreaves, Edward H. Green, William H. Lawall, Robert C. Pyle and James Hess, of the borough of Easton, and Jacob B. Odenwelder, of the township of Palmer, in the county of Northampton, or any five of them, are hereby appointed commissioners to open books, receive subscriptions for stock, and organize a company under the name and title of the West Ward Passenger Railway Company, which company so organized shall have perpetual succession, with power to use a common seal, to sue and be sued, and to hold lands and personal property as hereinafter provided for the common use of the corporation.
Title.	
Privileges.	
Capital stock.	SECTION 2. The capital stock shall consist of one thousand shares of the par value of twenty-five dollars each, which may be increased, from time to time, to two thousand shares, as may be declared expedient by a majority of the stockholders, each share to entitle the holder to one vote.
Votes.	
Subscriptions.	SECTION 3. The books for subscription of stock shall be opened after one week's public notice at the time and place appointed by the commissioners; and when one-third of the capital stock shall have been subscribed an election for seven directors shall be held after like notice given, such election to be conducted by any three or more of the commissioners.
Election of directors.	
President, secretary and treasurer.	SECTION 4. The directors when chosen shall organize by selecting a president, secretary and treasurer from their number, and shall have power to enact by-laws and rules necessary for the right management of the corporation; and when so organized they are hereby empowered to lay out and construct a passenger railway from the west side of Centre square, in the borough of Easton, thence west, through Northampton street, Walnut street and Washington street, and into the township of Palmer, adjacent to the fair grounds of the Farmers' and Mechanics' institute, also through any other street west of Sixth street, running north and south, and also to equip
By-laws and rules.	
Construction of railroad authorized.	

the same, and for this purpose to hold so much real and personal estate as may be necessary: *Provided*, That nothing in this act contained shall affect the right of the Easton and South Easton Passenger railway to connect with the said West Ward Passenger railway at Centre square, or any other point of said West Ward Passenger railway, nor in any way to interfere with or prejudice the rights of the said Easton and South Easton Passenger Railway Company to lay out and construct their railways through any of the streets of the said borough, as provided by the act of the general assembly of Pennsylvania, approved March twenty-seven, one thousand eight hundred and sixty-six, entitled "An Act to incorporate the Easton and South Easton Passenger Railway Company."

Proviso.

SECTION 5. The election for directors shall be held on the first Monday of May annually, after the organization of the company; the directors first chosen to serve until their successors are chosen at the next annual election thereafter; and the dividends and profits of the company shall be declared on the first Mondays of June and December, payable in ten days thereafter.

Annual election.

Dividends.

SECTION 6. The directors shall have power after thirty days' notice to forfeit stock for default of payment, also to borrow money in amount not exceeding twenty thousand dollars, and to issue scrip therefor in certificates of fifty and one hundred dollars each, payable in five or ten years with interest at the rate of seven per centum per annum half yearly.

Power to forfeit stock and borrow money.

APPROVED—The 5th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1023.

An Act

To incorporate the Central Insurance, Trust and Safe Deposit Company, of Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That H. Bentley, W. S. Douglas, Cyrus Giesse, Charles W. Thomason and their associates, successors and assigns, be and they are hereby created a body politic and corporate in deed and in law, by the name, style and title of the Central Insurance, Trust and Safe Deposit Company of Pennsylvania, with all the rights, powers and privileges set forth and granted by an act incorporating the Fidelity Insurance, Trust and Safe Deposit Company, which became a law on the twenty-second day of March, one thousand eight hundred and sixty-six, and the supplements thereto.

APPROVED—The 6th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1024.

An Act

To incorporate the Beaver Printing Company.

Corporators.	SECTION 1. <i>Be it enacted, &c.,</i> That M. S. Quay, D. L. Imbrie, George W. Hamilton, their successors, are hereby constituted a body politic under the name, style and title of the Beaver Printing Company, with a capital of ten thousand dollars, to be divided into shares of the value of twenty-five dollars each, with the privilege to increase the same by a vote of the stockholders at an annual or special meeting, from time to time, to an amount not exceeding two hundred and fifty thousand dollars, and with authority to have and use a common seal, the same to change at pleasure, and by the style and title aforesaid, shall be capable in law to sue and be sued; and the said association may make all needful rules, regulations and by-laws, for the management of the business of the corporation, and upon filling a duly proved certificate of the president and directors of said company, in the office of the secretary of the commonwealth, may change the name of said corporation; the affairs of the company shall be managed by a board of directors not exceeding seven, who shall choose one of their number president, and another secretary and treasurer; the first board of directors of said company shall be elected by a majority of the corporators, and said directors shall afterwards be elected annually at a meeting of the stockholders called for the purpose, and at such elections each share of stock shall entitle the holder thereof to one vote, which may be cast either in person or by proxy.
Title.	
Capital.	
Privileges.	
Directors.	SECTION 2. The business of said association shall be confined to printing and publishing in all its branches, and the management of such real estate as they may purchase for the use of the said association; and the said association shall have power to issue bonds for the completion of improvements at a rate of interest not exceeding seven per centum per annum, not exceeding in amount of principal the amount of the capital stock of said company, and secure the same by mortgage on the real and personal property and franchises of the corporation: <i>Provided</i> , That said bonds shall not be issued for a less sum than one hundred dollars each, and shall be redeemable within twenty years.
Election.	
Business.	
May issue bonds.	SECTION 3. No certificate of stock shall be issued by said association until the full amount of the par value of the same shall be paid in cash, or in real or personal estate; and the directors shall declare dividends annually or semi-annually, as the profits of the corporation shall warrant.
When stock certificates may be issued.	
Dividends.	

APPROVED—The 6th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1025.

An Act

To divorce Winfield Scott Dunbar and Hannah, his wife.

SECTION 1. *Be it enacted, &c.*, That the marriage contract heretofore made between Winfield Scott Dunbar and Hannah, his wife, be and the same is hereby annulled and made void and the parties released therefrom as if they never had been married, the courts of justice having no jurisdiction in the premises.

APPROVED—The 8th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1026.

An Act

To incorporate the Southern Improvement Company.

SECTION 1. *Be it enacted, &c.*, That R. D. Barclay, S. S. Moon, J. A. Fowler, or a majority of them, their associates, successors and assigns, be and they are hereby authorized and empowered to form and be a body corporate, to be known as the Southern Improvement Company, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Continental Improvement Company by act of the legislature of Pennsylvania, approved the thirteenth day of April, one thousand eight hundred and sixty-eight, and the supplements thereto.

SECTION 2. That the stockholders of said company by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company, and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

APPROVED—The 9th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1027.

An Act

To incorporate the Sewickley Gas Company of Sewickley, Allegheny county Pennsylvania.

Commissioners.	SECTION 1. <i>Be it enacted, &c.</i> , That J. W. F. White, William Smith, William Harbaugh, S. H. Goldthorpe, G. E. Warner, Samuel Bridge, Junior, Samuel M'Kelory, R. C. Loomis, D. N. White, M. Naylor, T. H. Nevin, F. H. Hutchinson, John Thompson, D. R. Miller, James Taylor, be and they are hereby appointed commissioners to organize a gas company,
Name.	by the name of the Sewickley Gas Company, for the purpose
Purpose.	of supplying and introducing gas into the borough of Sewickley, and Leet and Kilbuck townships, in the county of Allegheny, which said company shall have a capital of twenty thousand dollars, which may be increased to any amount not to exceed one hundred thousand dollars, by a vote of the stockholders of said company.
Capital.	
Shares.	SECTION 2. The capital stock of said company shall be divided into shares of fifty (\$50) dollars each; and said company shall be organized with corporate privileges in the manner prescribed by and under the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, one thousand eight hundred and fifty-seven, and subject to the provisions and restrictions of said act, not supplied by this act, together with all the rights and privileges in said act or supplements thereto.
How to be organized.	
Borough or any other corporation may subscribe to stock.	SECTION 3. That it shall be lawful for the said borough of Sewickley, in its corporate capacity, or for any other corporation in its corporate capacity, to subscribe for any number of shares of stock of said company; and to enable the said borough of Sewickley to subscribe stock as aforesaid, it is hereby authorized to borrow the amount so subscribed, and to pledge their property and franchises for the payment of the same, not exceeding five thousand dollars, and not exceeding eight per centum interest, and said bonds shall be free from tax except for state purposes.
Borough may borrow money.	

APPROVED—The 10th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1028.

A Supplement

To an act, entitled "An Act to incorporate the Pennsylvania Boiler Insurance Company," approved third day of April, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted, &c.,* That the capital stock of said company shall be reduced to one hundred thousand dollars, (\$100,000,) with privilege to increase the same to three hundred thousand dollars.

APPROVED—The 12th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1029.

An Act

To incorporate the Derry Fish Propagating Company in the county of Dauphin.

SECTION 1. *Be it enacted, &c.,* That David Fleming, David R. Landis, George Winters, David Mumma, A. C. Smith, Levi Zimmerman, George Bergner, C. L. Bowman and H. A. Sturgeon, their associates and successors, are hereby created and erected into a body politic and corporate in deed and law by the name, style and title of Derry Trout Propagating Company, and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all the courts of law or equity within this commonwealth or elsewhere, and also to take and hold either by gift, grant, devise or lease any real estate, or the right to make by-laws, rules and regulations not inconsistent with the constitution and laws of the United States or of this commonwealth, and generally to do and perform all and singular such matters and things as may be necessary and proper for them to do and perform for the well-being and due management of the affairs of the said company: *Provided however,* That the yearly income of the real estate held by the said company shall not exceed the sum of two thousand dollars.

Corporators.

Title.

Powers and privileges.

Income limited.

SECTION 2. That the object of said company shall be to raise, propagate and improve trout, salmon, black bass and other fish.

Object.

Capital stock.

SECTION 3. That the capital stock of said company shall consist of forty shares of fifty dollars per share: *Provided*, That the said company may from time to time by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to carry out the true intent and meaning of this act.

Officers.

SECTION 4. That the business of said company and management of its affairs shall be transacted by a president and board of directors, and such other officers as may be necessary to effect all and singular the objects, intents and purposes of the company; the officers shall be elected by the stockholders as may be provided by the by-laws.

Works, buildings, &c.

SECTION 5. That it shall be lawful for the said Derry Fish Propagating Company to erect and build all works, buildings, fixtures and appliances, screens, dams, shutes, pools and other apparatus that the directors of said company may deem necessary the object of the association, on any grounds that they may obtain by lease or otherwise for the objects and purposes of the incorporation aforesaid; and any person or persons who shall wilfully deface, injure or destroy any works, fixtures or other appliances erected as aforesaid, shall be guilty of a misdemeanor, and shall be liable to be punished therefor by an indictment in the court of quarter sessions of Cumberland county, and upon conviction thereof shall be fined in any sum not exceeding fifty dollars and imprisonment not more than sixty days, or both or either, at the discretion of the said court.

Penalties for injuries to.

Superintendent to prevent trespassing on property, and prohibit fishing.

SECTION 6. That the said superintendent employed by the said Derry Fish Propagating Company be and is hereby vested with full police authority to prevent any and all trespassing upon the property owned or leased by them, or any part thereof, and to prevent and prohibit fishing thereon, in any manner whatever, without authority; and it shall further be the duty of the said superintendent, having a knowledge of the violation of any of the provisions of this act, or of any of the acts of assembly relative to unlawful fishing in any streams or ponds owned or leased by said company, to make report to any justice of the peace of the proper county; and any person having such knowledge may also make complaint before such justice, and the said justice shall issue his warrant for the arrest of the offender and proceed to hear and determine the matter in issue in the same; and on conviction of any person or persons of having violated any of the provisions of this act, or any of the acts relating thereto, the said justice of the peace shall impose upon him or them a fine of not less than five dollars or more than twenty, and upon failure to pay the said fine and costs, to commit the party or parties to the county jail for a period, not exceeding thirty days.

Arrest and punishment of offenders.

Company not prohibited from taking trout.

SECTION 7. Nothing herein contained, or in any of the act of assembly relative to fishing for trout in the said springs, streams or ponds, shall be so construed as to prohibit the said Derry Fish Propagating Company from catching or taking trout therefrom at any time for the object and purposes of

their association, and according to the authority conferred upon the said company by the leases to them from the proprietors of said springs.

SECTION 8. The legislature reserves the right to repeal, alter or amend this act at any time hereafter: *Provided*, No injustice be done to the corporators. Reservation.

APPROVED—The 16th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1030.

An Act

To incorporate the Standard Coal Company.

SECTION 1. *Be it enacted, &c.*, That J. B. Kaufman, J. Atlee, Jr., Charles Thomason, A. Knight, or a majority of them, their associates, successors and assigns be and they are hereby created a body politic and corporate, in deed and in law, by the name, style and title of the Standard Coal Company, with all the rights, powers and privileges set forth and granted by the third, fourth and eighth sections of an act to incorporate the Black Band Iron and Coal Company, ap- Corporators.

proved the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-seven: *Provided*, That in the counties in which the company is authorized to hold lands, it shall be entitled to hold in each county, not exceeding the number of acres named in the fourth section aforesaid, and shall also be entitled to all the powers and privileges granted by the fifth and sixth sections of an act to incorporate the Powelton Coal and Iron Company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, and by the second, third and fourth sections of an act to incorporate the Woodburne Mining Company, approved the twenty-fourth day of June, one thousand eight hundred and sixty-four, except that the said company shall not have the right to manufacture iron. Title.
Powers and privileges.

SECTION 2. That said company shall have the right to purchase and sell coal already mined, and shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum on the capital stock, which, from time to time, may be issued, and such taxes on dividends as are now or may be provided by law; the first payment on account of said bonus to be made within one year from the date of the organization of said company. May purchase and sell coal already mined.
Bonus and taxes on dividends.

APPROVED—The 18th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1031.

An Act

To incorporate the Excelsior Manufacturing Company.

Incorporators.

SECTION 1. *Be it enacted, &c.,* That J. Rollins, Lloyd C. Evans, H. Leffman, or a majority of them, their associates, successors and assigns, be and they are hereby constituted and created a body politic and corporate, in deed and in law, by the name, style and title of the Excelsoir Manufacturing Company, with a capital of fifty thousand dollars, with the privilege of increasing the same, from time to time, by a vote of a majority of stockholders, to eight hundred thousand dollars, and said company shall have all the rights, powers and privileges, and be subject to all the restrictions set forth and granted by an act, entitled "An Act to incorporate the Journeymen's Union Manufacturing Company," approved the eleventh day of April, Anno Domini, one thousand eight hundred and sixty-two, except the proviso in the fourth section thereof limiting the value of the real estate to be held by said company to twenty thousand dollars.

Title.

Capital.

Rights, powers, &c.

May borrow money and issue bonds.

Bonus and taxes on dividends.

SECTION 2. The said company shall have power to borrow money and issue bonds or certificates therefor, secured by mortgage or mortgages upon their property and corporate franchises, and shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum on the capital stock hereby authorized or hereafter created, in two equal annual instalments, the first whereof shall be due and payable within one year after the organization of said company, and in addition to said bonus shall pay such taxes on dividends as are now or may hereafter be required by law.

APPROVED—The 19th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1032.

An Act

To incorporate the State Bank of Delaware County.

SECTION 1. *Be it enacted, &c.,* That John O. Deshong, James Irving, George Baker, William Ward and William B. Broomall, and their associates and successors shall be, and they are hereby created a body politic and corporate, by the name and style of the State Bank of Delaware County, to be located

in the city of Chester, and by that name shall have, possess, exercise and enjoy the same powers, privileges and immunities, and be subject to the same liabilities and restrictions as are conferred, given and imposed by act of general assembly of this commonwealth, approved the twenty-fifth day of February, Anno Domini one thousand eight hundred and seventy, entitled "An Act to incorporate the People's Bank of the city of Philadelphia," upon the corporation thereby incorporated: *Provided*, That the capital stock of the said State Bank of Delaware County shall consist of five hundred shares of one hundred dollars each, with power to increase the same in the manner in said last recited act provided, to any amount not exceeding twenty-five hundred shares of a like par value; and when five hundred shares or more of said stock shall have been subscribed, and ten per centum thereon of the same paid in, the shareholders shall proceed as provided in section third of said act: *And provided*, That each stockholder shall be personally liable to an amount double his respective capital stock, in addition thereto: *And provided also*, This charter shall not extend beyond twenty years: *Provided further*, That this bank shall not charge more than the legal rate of interest.

APPROVED—The 19th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1033.

An Act

To incorporate the Commercial Printing Company.

SECTION 1. *Be it enacted, &c.*, That Stewart Boyd, S. P. Williams, J. A. Ross, George W. Young, A. W. Grant, Franklin Webb, Cyrus Ward, Stephen Wilson, Arthur Wright, and their successors, are hereby constituted a body politic, under the name, style and title of the Commercial Printing Company, with a capital of twenty thousand dollars, to be divided into shares of the value of twenty-five dollars each, with the privilege to increase the same by a vote of the stockholders, at an annual or special meeting, from time to time, to an amount not exceeding two hundred and fifty thousand dollars, and with authority to have and use a common seal, the same to change at pleasure, and by the style and title aforesaid, shall be capable in law to sue and be sued; and the said association may make all needful rules, regulations and by-laws for the management of the business of the corporation, and upon filing a duly proved certificate of the president and directors of said company in the office of the secretary of the

Corporators.

Title.

Capital.

Privileges.

Directors.

Election.

Business.

May issue bonds.

When stock certificates may be issued.

Dividends.

Bonus.

Taxes on dividends.

Individual liability.

commonwealth, may change the name of said corporation; the affairs of the company shall be managed by a board of directors not exceeding seven, who shall choose one of their number president, and another secretary and treasurer; the first board of directors of said company shall be elected by a majority of the corporators, and said directors shall afterwards be elected annually at meetings of the stockholders called for the purpose, and at such elections each share of stock shall entitle the holder thereof to one vote, which may be cast either in person or by proxy.

SECTION 2. The business of said association shall be confined to printing and publishing, in all its branches, and the management of such real estate as they may purchase for the use of the said association; and the said association shall have power to issue bonds for the completion of improvements, at a rate of interest not exceeding seven per centum per annum, not exceeding in amount of principal the amount of the capital stock of said company, and secure the same by mortgages on the real and personal property and franchises of the corporation: *Provided*, That said bonds shall not be issued for a less sum than one hundred dollars each, and shall be redeemable within twenty years.

SECTION 3. No certificate of stock shall be issued by said association until the full amount of the par value of the same shall be paid, in cash or in real or personal estate; and the directors shall declare dividends annually, or semi-annually, as the profits of the corporation shall warrant.

SECTION 4. This corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

APPROVED—The 19th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1034.

An Act

To incorporate the Central Pennsylvania Mining Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That A. J. Cassatt, S. A. Black and John Reilly, and their associates, be and they are

hereby constituted a body politic and corporate, by the name, style and title of the Central Pennsylvania Mining Company, and by the same name, style and title shall have continued succession and power, and use a common seal, and to alter or renew the same at pleasure, with power to sue and be sued, plead and be impleaded in any court of this commonwealth, or elsewhere, to appoint all necessary agents and assistants, and to make such by-laws as they may deem prudent to enable them to carry out the objects of the corporation, from time to time to alter, amend, add to, or repeal the same at pleasure.

SECTION 2. That said company shall have power to erect houses, works and machinery, and to explore, mine and develop lands, and transport, use and sell the products thereof, and for this purpose may lease, purchase or own lands to an extent not exceeding five thousand acres in the bituminous region, and such other lands as may be conveyed to them for debts due the corporation.

SECTION 3. That the corporators herein named shall choose persons to serve as first directors of the company, who shall hold their office until their successors shall have been duly elected in accordance with the by-laws, and a majority thereof shall constitute a quorum for the transaction of business; and the said directors shall, at any time or place most convenient, after the passage of this act, proceed to open books of subscription to the capital stock of the company, and with the consent of a majority of its stockholders shall have power to merge its stock, bonds and franchises with those of any other corporation chartered by or under the laws of this commonwealth; at all elections each share of stock shall entitle the owner thereof, either in person or by proxy, to one vote.

SECTION 4. That the said corporation shall have power to issue certificates of stock and bonds representing the value of their property, and prescribe by their by-laws, from time to time, the forms and regulations of such bonds and certificates, and in what forms other contracts and obligations shall be executed, and shall open offices wherever their business may require, and have their principal office in the state of Pennsylvania, in such place as they may deem expedient or prudent, where it shall be lawful to hold all meetings for the election of officers and for the general transaction of business, and shall exercise and enjoy all the rights, powers and privileges, powers and franchises incident to corporations and necessary to carry on, manage and develop their business: *Provided*, Said corporation shall pay into the treasury of this commonwealth such taxes as may be required by law.

APPROVED—The 20th day of May, A. D. 1871.

JNO. W. GEARY.

Title.

Powers and privileges.

Further powers.

First directors.

Quorum.

Subscriptions to stock.

Power to merge.

Votes.

Certificates of stock, bonds, officers, &c.

Taxes to state.

No. 1035.

A Supplement

To an act, entitled "An Act to incorporate the Manor Railroad Company, approved the twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

Commissioners.

SECTION 1. *Be it enacted, &c.*, That Daniel Gilchrist, Josiah Miller, J. C. Rankin, Dr. J. A. Fulton, John Hugus, Robert Young, John F. Wentling, H. F. Ludwig, H. Kifer, H. M'Keever, R. M'Kannan or any five of them, shall be commissioners with all the powers mentioned in said act.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of two thousand shares of fifty dollars each, which said capital stock may be increased, if the exigencies of the company shall require it, to any sum not exceeding two hundred thousand dollars, as the president and directors may deem expedient.

Commencement and completion.

SECTION 3. That the time of commencing the work and completing said road, shall be extended for the period of five years from the passage of this act, and anything therein contained inconsistent herewith is hereby repealed.

APPROVED—The 20th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1036.

An Act

To incorporate the Refinery Company of Pennsylvania.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Charles Thomason, W. Cunningham, John Kerns, and their associates and successors, are hereby created a body politic and corporate under the name, style and title of the Refinery Company of Pennsylvania, and by that name shall have perpetual succession, with all the powers, privileges and franchises incident to a corporation; and shall have power to make a common seal, and change the same; also to make such by-laws as may be deemed necessary for the government of its affairs, and the same to change, add to or repeal at pleasure: *Provided*, The said by-laws shall not conflict with the constitution and laws of this commonwealth.

Title.

Powers and privileges.

Capital stock.

SECTION 2. The capital stock shall be (\$100,000) one hundred thousand dollars, divided into shares of (\$100) one hundred dollars each; but the capital may be increased, from

time to time, to (\$500,000) five hundred thousand dollars by a vote of a majority of the stockholders; and it shall be lawful for this company to issue bonds, in sums of not less than (\$100) one hundred dollars, at a rate of interest not exceeding seven and three-tenths per centum, to an amount not exceeding one half of its capital stock, for such terms as the company shall decide; and shall have power to create mortgages of its property and franchises to secure the same.

May issue bonds
and create mort-
gages.

SECTION 3. The affairs of this company shall be managed by a board of directors of not less than five, who shall be elected by a majority of the corporators named in the first section of this act, and who shall hold office until their successors are elected in such manner and at such times as the by-laws shall prescribe.

Management.

Election of direc-
tors.

SECTION 4. The said company shall have the right, for themselves or agents, upon commission or otherwise, to purchase, sell or otherwise dispose of all petroleum and minerals, or mineral oil, crude and manufactured, or refined, and store, insure, ship and transport the same, as well as oil that they may refine and manufacture; and may purchase, use and, from time to time, sell, exchange, mortgage, grant, alien, or otherwise dispose of and occupy such lands as may be necessary to construct suitable works, tanks, reservoirs, cars, machinery, buildings, storehouses, wharves and docks as may be necessary for the refining, manufacturing, storage, shipment and transportation of said petroleum, mineral or mineral oils: *Provided*, That the said company shall not manufacture, refine, store, ship or transport, nor erect any works for the manufacture and refining of oil in any section, location or place where the same is prohibited by law, and shall not hold more than fifty acres of land in Pennsylvania, at any one time.

Further powers of
company.

APPROVED—The 23d day of May, A. D. 1871.

JNO. W. GEARY.

No. 1037.

An Act

To incorporate the Granite Insurance, Trust and Safe Deposit Company.

SECTION 1. *Be it enacted, &c.*, That Charles Thomason, E. Fisher, W. P. Smith, J. Moyer, James Giese, Joseph Robinson, A. Knight, or a majority of them, their associates, successors and assigns, be and they are hereby created a body politic and corporate, in deed and in law, by the name, style, and title of the Granite Insurance, Trust and Safe Deposit Company, with all the rights, powers and privileges, and

Corporators.

Title.

Rights, powers, &c. subject to all the restrictions set forth and granted by an act, entitled "An Act to incorporate the Fidelity Insurance, Trust and Safe Deposit Company of the city of Philadelphia," which become a law on the twenty-second day of March, one thousand eight hundred and sixty-six, and the several supplements thereto.

Bonus. SECTION 2. The said company shall pay to the state treasurer, for the use of the state, a bonus of one fourth of one per centum on the sum required to be paid in, previous to organization, in two equal instalments, the first payment to be made in one year after the payments of the capital stock shall be made; and also a like bonus on all subsequent payments on account of the capital stock of said company, or any increase thereof, payable in like manner, and in addition to said bonus shall pay a like tax upon the dividends, as is or may be imposed by law; and that the stockholders of said company be and they are hereby authorized to change the name and title of said company, which change shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the secretary of said company; and the first board of directors of this company shall be chosen by a majority of the corporators above named; such board to consist of not less than four members, to hold office until their successors are elected by the stockholders.

APPROVED—The 24th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1038.

A Supplement

To an act to incorporate the American Home, approved twenty-first March, one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted, &c.,* That it shall be lawful for the managers of the American Home to appoint such officers and agents to manage their property as they may deem expedient; and the said company may lease or rent any or all of their property, and shall be entitled to all the provisions and privileges of the first section of an act to incorporate the Keystone Hotel Company, except the proviso thereto, approved the twentieth day of April, Anno Domini one thousand eight hundred and sixty-six.

APPROVED—The 24th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1039.

An Act

To incorporate the Shippensburg Improvement Company.

SECTION 1. *Be it enacted, &c.,* That I. A. Reed, P. Harri- Corporators.
 son, John Willson and William Watson, their associates,
 successors and assigns, be and they are hereby authorized
 and empowered to form and be a body corporate, to be known
 as the Shippensburg Improvement Company, which shall be Name.
 and is hereby vested with all the powers, privileges, duties Powers, privi-
 and obligations conferred upon the Continental Improvement leges, &c.
 Company, by the act of the legislature of Pennsylvania, ap-
 proved the thirteenth day of April, Anno Domini one thous-
 and eight hundred and sixty-eight, and the supplements
 thereto, except in so far as the same may be changed by this
 act.

SECTION 2. That the capital stock of the company shall Capital stock.
 consist of one thousand shares, with power to increase the
 same as is provided in the aforesaid act, and the shareholders
 shall have authority to organize the company and elect the Organization.
 directors, when not less than two hundred shares shall have
 been subscribed.

APPROVED—The 24th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1040.

An ActTo incorporate the Germantown Deposit, Trust and Insurance Com-
 pany.

SECTION 1. *Be it enacted, &c.,* That Charles Stokes, H. B. Corporators.
 Bruner, H. H. Houston, H. N. Johnson, Samuel Collum and
 all persons who may associate with them hereafter, shall be
 and are hereby constituted a body politic and corporate, by
 the name of the Germantown Deposit, Trust and Insurance Name.
 Company of Germantown, city of Philadelphia, to be located
 in said city, which shall have perpetual succession, with power
 and authority to make contracts of insurance, either for life, Powers and privi-
 fire, marine, inland, or any other insurance for goods, wares, leges.
 merchandise or any other article or thing insurable, and also
 to take and execute trusts of any kind, receive deposits of
 money on interest, and do all and every kind of insurance,

trust, et cetera, that any company now chartered may have the right or power to do with any person or persons, or any body politic or corporate, and to make all kinds of insurance, trust, et cetera, as aforesaid, for such premium and consideration, and under such modifications and restrictions as may be agreed upon between the contracting parties.

Capital stock.

SECTION 2. That the capital stock of said corporation shall be five hundred thousand dollars, which shall be divided into ten thousand shares, of fifty dollars each; at the time of subscription, at least ten dollars shall be paid on each and every share, and balance shall be paid in such manner, time and place as the directors of said corporation shall determine.

When business may be commenced.

SECTION 3. That said corporation, after complying with the provisions of the act to provide for incorporation of insurance companies, approved April second, one thousand eight hundred and fifty-six, shall have power to commence business under their paid charter whenever fifty thousand dollars of their capital is subscribed for and paid in.

To have powers of any other insurance, trust and safe deposit company.

SECTION 4. That said corporation shall have all the rights, privileges and immunities, power and authority that is now granted to any other insurance and trust company in this state, and shall be subject to all laws approved or now in force, or hereafter passed, for their regulation and control.

Tax on dividends.

SECTION 5. That said corporation in declaring dividends, all sums over eight per cent., one per cent. of said surplus shall be paid into the state treasury for the use of the commonwealth.

APPROVED—The 25th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1041.

An Act

To incorporate the Deer Lodge Improvement Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That D. J. Crane, S. E. Kincaid and Henry Buss, their associates, successors and assigns, be and are hereby created into a body politic and corporate, under the name of the Deer Lodge Improvement company, by which name they shall have perpetual succession, and have a common seal, sue and be sued, implead and be impleaded, and enjoy all privileges pertaining to a corporation under the laws of this commonwealth.

Name.

Privileges.

Corporate powers.

SECTION 2. That the corporation hereby created shall have power to contract with any persons or corporation whatever, to construct, maintain or manage any work, public or private, and to supply all materials, labor and fixtures of any kind whatever, on such terms as may be agreed upon, and have

full power to hold and own securities of any form as collateral or otherwise, and dispose of the same at pleasure, and shall have power to hold, own and dispose of such other personal or real estate as a majority of the stockholders of said corporation may at any time approve.

SECTION 3. The capital stock of said company shall consist of five hundred shares of stock, of the value of fifty dollars each, with privilege to increase the same by a majority of the stockholders, at any annual or special meeting, to such amount as they may from time to time deem needful, not more than double said amount; and the corporators, or a majority of them named in the first section of this act, may open books for subscriptions at such times and places and for such sums as they may deem expedient; and when not less than one hundred shares have been subscribed, and ten per centum thereon shall have been paid in, the shareholders may elect not less than three nor more than seven directors, to serve until the next annual election, or until their successors shall be duly elected; and the directors (of whom a majority shall be a quorum) of said company, when it shall have been organized, may and they are hereby empowered to have and exercise in the name of the company all the rights and privileges which are hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to a *pro rata* share of such increase upon the payment of the par value of the same.

SECTION 4. That said company may locate its office in the counties of Erie, Warren or Forest, as may be determined by a vote of the stockholders, and may hold and enjoy to them and their successors, any real estate not exceeding four hundred acres within said counties, and not exceeding a like amount out of said counties, and said company may improve all and any land held by them, and erect any saw-mills, buildings or storehouses upon the same, and from time to time may, by deed or other conveyance, sell, grant or dispose of the same or any part thereof on such terms as they may deem proper, in fee simple or any less estate; and said company shall also have authority for the purchase, storage, carriage, sale and exchange of lumber or other chattels, and may build and construct such railroad or plank road as may connect their works or lands with any railroad or plank road now built or to be built: *Provided*, Such road shall not exceed five miles in length, and may use and operate the same in such mode as said directors may deem expedient; and in the location or construction of such road said corporation shall also have the power granted by act of May fifth, Anno Domini one thousand eight hundred and thirty-two, entitled "An Act regulating lateral railroads," under which damages may be assessed; and said company may move or transport by such route or mode as they may deem expedient, any commodity from any of their lands to any railroad within five miles distance or to any landing on any navigable stream, and in do-

Capital stock.

Subscriptions.

Election of directors.

Power and authority of directors.

Right of stockholders in case of increase of capital stock.

Offices.

Further powers of company.

ing so may use or occupy any route theretofore laid out or occupied under any of the foregoing provisions.

Bonus.

May borrow money

Annual election of directors, &c.

SECTION 5. Said company shall pay a bonus of one-half of one per cent. on said capital stock in four equal annual instalments, and may borrow money on bonds secured by mortgage and pay interest not exceeding eight per centum; and the stockholders shall in the mode prescribed by the by-laws annually elect a board of directors, and until said election said corporators, or a majority of them, may adopt by-laws and have and exercise all the powers of directors; the directors shall elect a president and such officers as they may choose, and fix their compensation, and to locate or remove the office of the company at or to such other place as they may deem expedient.

APPROVED—The 25th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1042.

An Act

To incorporate the North-Western Mining and Transportation Company.

Corporators.

Title.

Powers and privileges.

SECTION 1. *Be it enacted, &c.*, That A. Knight, J. Giese, W. Cunningham, and their associates, or a majority of them, be and they are hereby created a body politic by the name, style and title of the North-Western Mining and Transportation Company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name, property, real, personal and mixed, and of holding and improving or disposing of, by sale or otherwise, of all their lands or any part thereof, interest in or liens thereupon, or the products of the same, in any of the United States or territories thereof: *Provided*, Not more than five thousand acres shall be held in the state of Pennsylvania, the same as a natural person, and to obtain therefrom any and all minerals and other valuable substances, whether by working or opening, leasing or disposing privileges to work or mine, or sell such lands or any part thereof, and to erect houses and such other buildings or works as may properly appertain to said business, and to use, let, sell, lease, or work the same, and to dispose of the products of all such lands, mines and works as they may deem proper; and said company shall also have the right to lay out, construct, maintain and operate a railroad from any portion of their land, and may connect the same with the railroad of any company, incorporated by or under the laws of this state, at any point

they may select for such connection: *Provided*, That such railroad shall be constructed and operated under the provisions of an act regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper to enable them to carry out the objects of the corporation, and the same to alter, amend, add to or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock and bonds representing the value of their property, and securing the same upon the property in such form and subject to such regulations as they may, from time to time, prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed.

By-laws.

Seal.

Certificates of stock and bonds.

Contracts and obligations.

SECTION 3. That the corporators named in this act shall elect persons to serve as directors, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.

Directors.

SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company wherever their business is located, and to have their principal office in the United States, in such place as they may deem expedient, at which place it shall be lawful to hold all meetings for the transaction of the business of the company.

Offices.

SECTION 5. That the stockholders of said company be and they are hereby authorized to change the name and title of the said company which change shall be valid after filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

Stockholders may change name.

APPROVED—The 26th day of May, A. D. 1871.

JNO. W. GEARY

No. 1043.

An Act

To incorporate the New Carriers' Company.

SECTION 1. *Be it enacted, &c.*, That W. P. Smith, R. Woolman, J. Moyer, J. Armitage, Frank Cunningham, J. Geise, Samuel Stout, or a majority of them, their associates, successors and assigns be and they are hereby created a body politic by the name, style and title of the New Carriers' Com-

Corporators.

Title.

Powers and privileges. pany, and by such name, style, and title shall have perpetual succession; and shall be capable of suing and being sued, impleading and being impleaded, and of granting, owning, receiving, leasing and holding in the said corporate name, any property, real, personal or mixed, which may be necessary for the use of the said company, and of contracting and being contracted with relative to the business of the corporation, and may have a common seal, and the same alter or renew at pleasure; and upon the filing of a certificate, setting forth the facts, in the office of the secretary of the commonwealth, may change the style and title of said corporation; and may make and adopt by-laws, and do all other matters and things necessary to promote the objects of said company, not contrary to the provisions of this act, or the laws of this state, or of the United States.

Capital stock. SECTION 2. That the capital stock of the company shall consist of one thousand shares of twenty-five dollars each: *Provided*, That the said company may from time to time, by a vote of the stockholders, increase the capital stock to an amount sufficient to complete and carry on the business of the said company, as the same may be deemed necessary.

Business. SECTION 3. That the business of said company shall be the receipt, safe-keeping, conveyance and delivery of property, goods and merchandise, upon such terms as may be agreed upon or set forth in the by-laws or regulations of the company: *Provided*, That nothing herein contained shall be construed to give the said corporation any banking privileges, or to authorize any advances of money upon any goods or commodities.

Directors, election of. SECTION 4. That the persons named in this act, or any four of them, shall call a meeting within six months from the passage of this act, of the corporate body hereby created, giving ten days' notice of the time and place of holding the same in two daily newspapers, in the county of Philadelphia, for the purpose of choosing a president and three directors, which three directors, with the president, shall constitute the board of directors for the management of the affairs of the corporation, and such board may elect such other officers as may be deemed necessary, and such board shall continue in office for one year from the date of their election or until their successors are duly chosen, and shall exercise all the powers pertaining to the business of the corporation.

Annual meetings. SECTION 5. That the annual meetings of the corporation shall be held at such times and places as may be designated in the by-laws: *Provided*, That ten days' previous notice of any such meeting shall first be given, in which the time and place of such meeting shall be distinctly set forth; that at each and every election for officers each share of stock shall entitle the holder thereof to one vote, to be given by ballot, and stockholders may be represented by proxy; that the said corporation may have power to unite or connect by contract with other persons or corporations, or to form a union with them, and the stock thereupon may form a common stock, upon such terms or conditions as the said companies or associations may agree upon, and when such union shall be effected, and a true

Votes

May form a union with other corporations.

copy of the agreement made shall have been filed in the office of the secretary of the commonwealth, the stockholders of the said companies shall become one body politic and corporate, under such name and title as they shall adopt and agree upon, and embody in their certificate, with all the rights and privileges of the respective corporations or associations.

APPROVED—The 26th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1044.

An Act

To incorporate the South-West Pennsylvania Improvement Company.

SECTION 1. *Be it enacted, &c.*, That B. F. Ruff, John Snider and William Syler, and their associates, successors and assigns, be and they are hereby authorized and empowered to form and be a body corporate, to be known as the South-West Pennsylvania Improvement Company, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Continental Improvement Company by act of the legislature of Pennsylvania, approved the thirteenth day of April, one thousand eight hundred and sixty-eight, and the supplements thereto.

Corporators

Name.

Powers, privileges, &c.

SECTION 2. That the stockholders of said company, by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company, and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

Stockholders may change name and locate general office.

APPROVED—The 29th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1045.

An Act

To incorporate the Keystone Printing Company.

SECTION 1. *Be it enacted, &c.*, That John W. Martin, F. Hutchinson, William J. Fairman and their successors, are hereby constituted a body politic, under the name, style and title of the Keystone Printing Company of Philadelphia, with a capital of twenty thousand dollars, to be divided into shares

Corporators.

Title.

Capital.

Privileges	of the value of fifty dollars each, with the privilege to increase the same by a vote of the stockholders at an annual or special meeting, from time to time, to an amount not exceeding two hundred and fifty dollars, and with authority to have and use a common seal, the same to change at pleasure, and by the style and title aforesaid, shall be capable in law to sue and be sued, and the said association may make all needful rules, regulations and by-laws for the management of the business of the corporation, and upon filing a duly proved certificate of
Directors.	the president and directors of said company, in the office of the secretary of the commonwealth, may change the name of said corporation; the affairs of the company shall be managed by a board of directors not exceeding seven, who shall choose one of their number president, and another secretary and treasurer; the first board of directors of said company
Duration	shall be elected by a majority of the corporators, and said directors shall afterwards be elected annually, at meetings of the stockholders called for the purpose, and at such elections each share of stock shall entitle the holder thereof to one vote, which may be cast either in person or by proxy.
Business.	SECTION 2. That business of said association shall be confined to printing and publishing in all its branches, and the management of such real estate as they may purchase for the use of the said association, and the said association shall have
May issue bonds.	power to issue bonds for the completion of improvements at a rate of interest not exceeding seven per centum per annum, not exceeding in amount of principal the amount of the capital stock of said company, and secure the same by mortgages on the real and personal property and franchises of the corporation: <i>Provided</i> , That said bonds shall not be issued for a less sum than one hundred dollars each, and shall be redeemable within twenty years.
When stock certificates may be issued.	SECTION 3. No certificate of stock shall be issued by said association until the full amount of the par value of the same shall be paid in cash or in real or personal estate, and the directors shall declare dividends annually or semi-annually, as the profits of the corporation shall warrant.
Dividends.	

APPROVED—The 29th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1046.

An Act

To incorporate the Home Improvement Company.

SECTION 1. *Be it enacted, &c.*, That S. S. Bowman, J. M. Freeburn, Henry W. Bishoff, their associates, successors and assigns, be and they are hereby authorized and empowered

to form and be a body corporate, to be known as the Home Improvement Company, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Continental Improvement Company by the act of the legislature of Pennsylvania, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, and the supplements thereto.

APPROVED—The 29th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1047.

An Act

To incorporate the Harrison Land Company.

SECTION 1. *Be it enacted, &c.*, That H. C. Freck, Samuel Gilbert, William Sharmo, their associates, successors and assigns, be and they are hereby authorized and empowered to form and be a body corporate to be known as the Harrison Land Company, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Iron City Land Company by the act of the legislature of Pennsylvania, approved the second April, Anno Domini one thousand eight hundred and seventy: *Provided*, That the capital stock shall be one hundred thousand dollars with authority to the company to increase the same as is provided in said act.

APPROVED—The 29th day of May A. D. 1871.

JNO. W. GEARY.

No. 1048.

An Act

To incorporate the Lycoming County Improvement Company.

SECTION 1. *Be it enacted, &c.*, That R. H. Lawshe, J. Gaus, W. R. Wilson, and their associates, and such other persons as may become holders of the stock of said company are hereby created a body politic in law and in deed, by the name, style and title of the Lycoming County Improvement Company, and as such shall have succession for the term of twenty

years, and all the powers, privileges, duties and obligations conferred upon the Continental Improvement Company by the act of the legislature of Pennsylvania, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, and the supplements thereto.

APPROVED—The 29th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1049.

An Act

To incorporate the Northumberland County Improvement Company.

SECTION 1. *Be it enacted, &c.*, That William A. Dean, Ferdinand Piper, and their associates, and such other persons as may become holders of the stock of said company, are hereby created a body politic in law and in deed, by the name, style and title of the Northumberland County Improvement Company, and as such shall have succession for the term of twenty years, and all the powers, privileges, duties and obligations conferred upon the Continental Improvement Company by the act of the legislature of Pennsylvania, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, and the supplements thereto.

APPROVED—The 29th day of May, A. D. 1871.

JNO. W. GEARY.

No. 1050.

An Act

To incorporate the Bowman's Creek Navigation Company.

SECTION 1. *Be it enacted, &c.*, That James R. Wear, B. M. Stone, Michael Mylert, E. Bruce Richret, E. R. Meyer, Henry Evans, J. E. Patterson, Charles W. Hine, G. E. Paten, or a majority of them, and such other persons as shall associate with them for the purpose hereinafter named, be and they are hereby created a body politic and corporate, by the name, style and title of the Bowman's Creek Navigation Company, with a capital of thirty thousand dollars, to be divided into

Corporators.

Title.

Capital.

shares of fifty dollars each, and the said corporation shall be capable in law to sue and be sued, plead and be impleaded, and shall have the power to adopt and enforce such by laws, rules and regulations as may be necessary and expedient: *Provided*, That the same do not conflict with any law of this commonwealth or the United States.

Powers and priv-
ileges.

SECTION 2. That said corporation shall use and employ so much of their capital stock as they may find necessary in improving the navigation of Bowman's creek, and its branches, in the counties of Wyoming and Luzerne, from its mouth up said creek, by removing from the channel, rocks, roots, trees and other obstructions, and by such other necessary means as will fit it for the safe passage of logs, lumber and timber; and the said company shall have the right to repair the banks of said stream at such points and places along the same, as may be deemed necessary for the safe passage of logs, timber and lumber.

Employment of
capital stock.

May repair banks
of streams.

SECTION 3. That said company shall have the right to demand and receive from any and every person using that portion of said stream, improved by said company for the purpose of running or floating logs, timber or lumber upon its waters, not to exceed the sum of fifty cents per thousand feet, board measure, for all such logs, timber or lumber run or driven down or along said stream, and *pro rata* for any distance; and the said company may require from all persons using said stream, a statement of the amount of logs, timber or lumber put in the stream to be floated, and the said persons are required to furnish such statement at least two weeks before starting their drive; and the said company shall have the power to sue for and recover all tolls authorized by this act, as debts of like amount are now by law recoverable.

Tolls for use of
stream.

May require state-
ment from persons
using stream.

May sue for tolls.

SECTION 4. That all person or persons desiring to float any logs, timber or lumber upon said stream, shall have the same distinctly marked on each end of said logs, timber or lumber.

Lumber to be
marked.

SECTION 5. That said company shall have the right to make such dam or dams, dykes and cribbings and breast works, as may be necessary to make the said stream navigable for the running or floating of logs, timber or lumber upon the same, and they shall also have the right to establish and build a boom on said creek, at or near the mouth of the same, so as to secure logs, timber and lumber; also, to construct side pockets and cuts for the purpose of holding and manufacturing lumber on said stream, that may be floated or run on said stream: *Provided*, That the same do not interfere with logs, or lumber to be run below said boom.

May make dams,
dykes, &c.

Build boom.

Construct side
pockets and cuts.

SECTION 6. That no person or persons shall be permitted to put into said stream, or any of its branches, any tree, stumps, slabs or anything that will obstruct the navigation thereof, and for any damage occasioned thereby the party or parties shall be liable therefor, to be recovered as like amounts are now recovered by law.

Trees, stumps, &c.
not to be put into
stream.

Liability for dam-
ages occasioned
thereby.

SECTION 7. That any person or persons running or floating logs, timber or lumber upon said streams, shall exercise due care and caution in running and floating the same, and for any damage that may occur from any negligence thereof, the

Care to be observed
in floating lumber

Liability for damages occurring through negligence.

Company to have lien upon lumber.

Sale of, for tolls.

Authorized to hold real estate adjacent to boom, and erect buildings.

Provisions relative to damages.

May own timber land.

Not to interfere with mill property.

party or parties guilty shall be liable for the same, to be recovered as sums of like amount are now recovered by law.

SECTION 8. That the said company shall have a lien upon all logs, lumber or timber that shall be run down said stream for any unpaid tolls upon the same and for other necessary expenses, until the same shall be paid to said corporation; and if no person or persons should appear to claim the same and pay the tolls and expenses, it shall be lawful for said corporation after advertising the same for sixty days in one newspaper published in the borough of Tunkbannock, with the marks thereon, if any there be, to dispose of the same by public sale to the best advantage, if no owner appear to claim the same; and the owner at any time, within one year from said sale, shall be entitled to the avails thereof after deducting the amount of tolls and necessary expenses, and if not claimed within that time the proceeds to be vested in the corporation for their own use.

SECTION 9. That for the purpose aforesaid, the said corporation be and they are hereby authorized and empowered to purchase, lease, hold and possess any real estate adjacent to said boom or booms or convenient thereto, with leave to build all such buildings as may be deemed necessary for the convenient management of the affairs of said corporation.

SECTION 10. That if any person or persons shall suffer any damages by the exercise of powers herein granted to said corporation, and the amount thereof cannot be agreed upon by the parties, or some suitable person or persons agreed upon to estimate the same, the court of common pleas of Wyoming county shall, upon the application of the party aggrieved, cause said damages to be ascertained by three disinterested freeholders of said county, to be appointed by the said court, and who shall make report to said court on or before the first day of the term next after their award shall be made, and which, being confirmed by said court, shall have the effect of a judgment from the time of such confirmation: *Provided*, That if either party be dissatisfied with the award of said commissioners, and shall, at the time at which said award is presented for final confirmation, apply to said court for a trial by jury, in the manner as other like cases are determined, the court shall by jury determine the amount of such damage accordingly; and if the verdict shall not be more favorable to the party applying for the jury, than the award given, judgment for costs shall be rendered against the applicants; and if the verdict be more favorable to the party applying for a jury, than the award, the applicant shall receive costs; and execution may, in either case, issue upon the judgment: *Provided further*, That said corporation shall not take private property until compensation be made, or security given for the same, and that said company shall be individually liable for all damages that may accrue by reason of this act.

SECTION 11. That said corporation shall have the right to purchase and own for the purpose of supplying their mill or mills any quantity of timber lands not exceeding two thousand acres: *Provided*, That this act shall not give authority to interfere in any manner with mill property on said creek,

nor shall dams be constructed to the damage of farms or other property along the said stream: *And provided further*, That said stream may be used for rafting purposes, free, from Hunter's mill to the mouth of said stream, provided said lumber is not run into the boom: *Provided*, That nothing in this act shall conflict with the rights of present mill owners and manufacturers on said stream of putting in and maintaining side booms for the purpose of holding logs, timber and lumber.

Stream may be used for rafting purposes.

Not to conflict with rights of present mill owners and manufacturers.

APPROVED—The 2d day of June, A. D. 1871.

JNO. W. GEARY.

No. 1051.

An Act

To incorporate the Keystone Express and Transportation Company.

SECTION 1. *Be it enacted, &c.*, That Joseph Ganser, A. J. Medler, Nicholas Fox, Henry S. Sterner, J. Wierman, Jesse G. Hawley, L. W. Heis and such persons as may hereafter be associated with them, their successors and assigns, be and they be hereby incorporated and made a body politic in law, by the name, style and title of the Keystone Express and Transportation Company of Pennsylvania, for the purpose of transacting an express business, from Pottsville to Philadelphia, in carrying and delivering merchandise, provisions, fruits and all kinds of packages and parcels entrusted to the care of said company, and the said corporation to continue for the space of twenty years from the passage of this act.

Corporators.

Title.

Purpose.

Limitation.

SECTION 2. The said corporators, or any five of them, are hereby authorized to open books and receive subscriptions to the capital stock of the said company, which capital stock shall consist of one thousand shares of fifty dollars each, with power to increase the same to one hundred thousand dollars.

Capital stock.

SECTION 3. The business of the said company shall be managed by a board of not more than five directors, who shall be elected annually by the stockholders, at such time and place as may be designated by the by-laws, and the said board shall elect such other officers as may be required by the by-laws.

Directors and other officers.

SECTION 4. That there shall be annual meetings of the stockholders held at such places and times as may be designated in the by-laws, and that each stockholder shall be entitled to one vote for every share of stock he may hold in said company.

Annual meetings of stockholders.

Votes.

APPROVED—The 2d day of June, A. D. 1871.

JNO. W. GEARY.

No. 1052.

A Further Supplement

To an act, entitled "An Act to incorporate the Girard Savings Bank," approved May ninth, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted, &c.,* That the Girard Savings Bank shall be located at Allentown, or at any other point in the county of Lehigh.

APPROVED—The 2d day of June, A. D. 1871.

JNO. W. GEARY.

No. 1053.

An Act

To incorporate the Collins Mineral, Land and Mining Company.

Corporators.

Title.

Powers and privileges.

Stockholders may change name.

SECTION 1. *Be it enacted, &c.,* That R. D. Barclay, John P. Green and S. S. Moon, or a majority of them, be and they are hereby created a body politic, by the name, style and title of the Collins Mineral, Land and Mining Company, with all the rights, powers, privileges and responsibilities of the American Mineral, Land and Mining Company, created by an act approved the thirteenth day of June, one thousand eight hundred and sixty-six, and have power to issue bonds, not exceeding in amount two hundred thousand dollars, at a rate of interest not exceeding seven per centum per annum, and the same to secure by a mortgage of its real or personal estate, or any part thereof.

SECTION 2. That the stockholders of said company by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company, which change shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

APPROVED—The 2d day of June, A. D. 1871.

JNO. W. GEARY.

No. 1054.

An Act

To incorporate the United States Banking Company, located at Philadelphia.

SECTION 1. *Be it enacted, &c.,* That John Jordan, Wm. Watson, Edward Watson, D. B. M'Ginley, W. G. M'Allister, W. W. Bell, H. B. Dich and their assigns, proxies, associates and successors, shall be and they are hereby created a body politic and corporate by the name and style of the United States Banking Company, located at Philadelphia, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded, in any court soever, may have a common seal, may renew or alter the same; also, may have a right to own and hold real estate and improve or dispose of the same at pleasure.

SECTION 2. That the capital stock of said bank shall consist of one thousand shares of the value of one hundred dollars each, with the privilege of increasing the same from time to time by a vote of the directors to an amount not exceeding fifty thousand shares of like value per share, and when the capital stock is so increased the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock at such times and places as they may deem expedient; and when one thousand shares, or more, of said stock shall have been subscribed, and thirty per centum of the same thereon paid in, the shareholders may elect a president and 12 directors to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve, to be filled by the board.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper; may discount any bill of exchange, foreign or domestic, promissory note, or other negotiable paper, and the interest may be received in advance at such rates as may be agreed upon by the parties; and shall have the right to hold in trust, or as collateral security for loans or advances, or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of said bank, or for the payment of the debts as security for which

the same may be held, in any market of the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

By-laws.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank not inconsistent with the laws of the state or the United States, and shall have power to require payments of any amount remaining unpaid on the stock of said bank at such times and in such places as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereto.

Payment of
amounts remain-
ing unpaid on
stock.

Further banking
privileges.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate, bills of exchange, bills of lading, stocks and bonds of all companies and of the United States, or other good and sufficient securities, at such rates of interest as may be agreed upon by said bank and the borrowers.

May act as finan-
cial agent.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of financial or other institutions and corporations, and as financial agent of the state of Pennsylvania and other states, of city governments, and counties, and districts in the management of their business, and shall give security to such institutions, states and governments for the faithful performance of the duties if required.

Dividends.

SECTION 8. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders at such times and in such amounts as to them may seem proper.

General election
for president and
directors.

SECTION 9. The general election for president and directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by a written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given; five days' notice by publication in one or more of the city newspapers shall be given of the time and place where such elections shall be held, and said election shall be conducted according to the by-laws.

Officers and
agents.

Votes.

Notice of elections.

Bonus and taxes.

SECTION 10. That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are, may now or may hereafter be required by law, and this charter shall continue for twenty years.

Limitation.

APPROVED—The 2d day of June, A. D. 1871.

JNO. W. GEARY.

No. 1055.

An Act

To incorporate the Union Oil Refinery and Storage Company.

SECTION 1. *Be it enacted, &c.,* That Henry C. Laughlin, Corporators.
 A. E. Lewis, Jere. M'Kibbin, D. P. Jones and G. W. Fair-
 man, their associates, successors and assigns, be and they are
 hereby created a body corporate and politic by the name,
 style and title of the Union Oil Refinery and Storage Com- Title.
 pany, and by that name and title shall be known and have Powers and priv-
 perpetual succession with all the privileges, franchises and ileges.
 immunities incident to a corporation, and to be able to sue
 and be sued, plead and be impleaded, have a common seal,
 and the same to alter and renew at pleasure, may make and
 adopt by-laws for the direction and government of the com-
 pany, not inconsistent with the constitution of the state and
 the provisions of this act, and may alter, add to or amend
 the same at pleasure, and may purchase, lease, have, hold, re-
 ceive, use and enjoy all goods, chattels and estates, real, per-
 sonal and mixed, that the business of the company may re-
 quire, and the same, from time to time, sell, exchange, mort-
 gage, grant, let, lease, alien or otherwise convey and dispose
 of, and generally to do all and singular the matters and
 things which to the said corporation shall lawfully appertain
 to do for the well-being thereof.

SECTION 2. That the said company shall have the right for Further powers
 themselves, or as agents upon commission, or otherwise, to
 purchase, sell or otherwise dispose of all petroleum and min-
 eral oils, crude and manufactured by any process or patent,
 as well as all refined and unrefined oils manufactured out of
 any and all substances and matter, and store, insure, ship and
 transport the same, as well as oil that they may refine and
 manufacture, and shall have the right to hold and construct
 suitable works, tanks, reservoirs, machinery, buildings, store
 houses, wharves and docks, as may be necessary for the re-
 fining, manufacturing, storage and shipment and transporta-
 tion of said oils: *Provided,* That the said company shall
 not manufacture, refine, store, ship or transport, nor erect
 any works for the manufacture and refining of oil in any sec-
 tion, location or place, where the same is prohibited by law.

SECTION 3. That the capital stock of said company shall Capital stock
 consist of one thousand shares of fifty dollars each, and the
 holders of a majority of the stock may, from time to time, at
 a meeting called for that purpose, increase the capital stock
 of said company to such amount or amounts as in their opin-
 ion may be necessary to complete the work and carry on the
 business of the said company; the corporators or their as-
 signs may dispose of said shares and issue certificates there-
 for to the subscribers, assessing such payment or payments
 upon the same as they may deem necessary, and the said
 shares of stock and the holders thereof shall be exempt from
 any further assessment.

May issue and dispose of bonds.

SECTION 4. The said company is hereby authorized to issue bonds with or without coupons, at a rate of interest not exceeding seven and three-tenths per centum per annum, and to dispose of the same at such prices as they may deem proper, and shall have all the power and authority to mortgage the property and franchises of the company to secure the principal and interest of said bonds.

Mortgage property

Election of directors.

SECTION 5. The corporators hereinbefore named, or their assigns, shall select five or more persons to serve as directors of the company until other directors shall be chosen from the stockholders in accordance with the by-laws of the company, and the directors so selected by the corporators, shall choose from their number a president, and a secretary and treasurer, and the company from time to time, employ such other officers and agents as are required; all officers and agents to hold their places under and subject to such rules, regulations and orders as may be adopted by the company.

President, secretary, &c.

Individual liability

SECTION 6. The stockholders and directors shall be individually liable for all the debts contracted for labor performed and for materials furnished, only to the amount remaining unpaid on the stock held by them respectively.

When business may be commenced.

SECTION 7. The company may commence business when twenty-five thousand dollars of the stock has been subscribed, and ten per centum thereon paid to the treasurer selected by the corporators; payments on stock may be made in cash, in property, in materials furnished, in labor performed or in expenses incurred.

Payments on stock.

Where business to be carried on.

SECTION 8. The business of the company shall be carried on in Philadelphia or vicinity with an office located there, but they may establish themselves elsewhere in the business of the company.

Name may be changed.

SECTION 9. The name of the company may be changed by a vote of the holders of two-thirds of the stock of the company cast in favor of a change at any meeting held for that purpose, certificates of such change properly attested by the signatures of the president and secretary, with the seal of the company thereto affixed, to be filed with the secretary of state in his department.

APPROVED—The 2d day of June, A. D. 1871.

JNO. W. GEARY.

No. 1056.

Supplement

To an act, entitled "An Act to incorporate the Bethlehem Trust and Safe Deposit Company," approved May fourth, eighteen hundred and seventy-one.

SECTION 1. *Be it enacted, &c.,* That in lieu of the bonus to be paid to the state, by the said Bethlehem Trust and Safe De-

posit Company, as provided for in the fourth section of said act, the said company shall pay such bonus as is required by the general laws of the commonwealth.

APPROVED—The 2d day of June, A. D. 1871.

JNO. W. GEARY

No. 1057.

An Act

Relative to the title of certain real estate in the borough of Leechburg, in the county of Armstrong.

WHEREAS, A company by the name and style of the Leechburg Institute, in the borough of Leechburg, in the county of Armstrong, in the commonwealth of Pennsylvania, was incorporated by the court of quarter sessions of Armstrong county :

Preamble

And whereas, The aforesaid company became and was insolvent, and its real estate was sold at judicial sale by the sheriff of Armstrong county, on judgments rendered in the courts of Armstrong county ; the proceeds of sale were duly applied to the discharge of the debts of record against the said company :

And whereas, George B. Sloan, Esquire, then high sheriff of Armstrong county, did on the fourth day of June, in the year of our Lord one thousand eight hundred and sixty-two, make and deliver to Edward S. Golden a deed for such real estate, bounded and described as follows, to-wit: On the north by land of A. Leech, on the east by a grave-yard lot, on the south by Back street, and on the west by lot one hundred and twenty-three, being numbered in the plan of said town one hundred and twenty-four, fronting sixty feet on Back street and extending back one hundred and twenty feet, having thereon erected a brick academy, about thirty by forty feet, with a furnace underneath for heating the building, and all enclosed with a fence :

And whereas, The said Edward S. Golden did, on the thirtieth day of June, in the year of our Lord one thousand eight hundred and sixty-two, transfer, set over and assign all his right, title, interest and claim to the said property, as above described, to Joshua Anderson, William Gorm, J. B. Parks, A. Leech, H. R. M'Kallip, Alexander Gordon and J. S. Bole, and their successors, in trust for themselves and others interested by virtue of their written agreement.

SECTION 1. *Be it enacted, &c.*, That the title to lot number one hundred and twenty-four, situate in the borough of Leechburg, county of Armstrong, and state of Pennsylvania,

Title confirmed

with an academy thereon erected, with the appurtenances, in pursuance and by virtue of a deed from George B. Sloan, late sheriff of Armstrong county, dated the fourth day of June, in the year of our Lord one thousand eight hundred and sixty-two, be and the same is hereby ratified and confirmed.

Trustees may
sell lot.

SECTION 2. That the trustees of the Leechburg Institute as aforesaid, or a majority of them, are hereby authorized and empowered to sell the said academy and lot of ground on which it stands, with the appurtenances, and to execute and deliver a deed, in fee simple, to the purchaser or purchasers thereof, and distribute the proceeds of sale amongst the stockholders in proportion to the stock therein held by each one.

APPROVED—The 28th day of June, A. D. 1871.

JNO. W. GEARY.

No. 1058.

An Act

To incorporate the American Volunteer Printing Company.

Corporators

Title.

Capital.

Powers and priv-
ileges.

Directors

Election

SECTION 1. *Be it enacted, &c.*, That John H. Stewart, A. P. Callow, E. A. Montooth, Thomas H. Hunter, B. F. Brown, H. S. Fleming, Charles Barries, Joseph F. Denniston, Thomas A. Rowley, Thomas M. Bayne and their associates or persons who shall become stockholders, or their successors, are hereby constituted a body politic under the name, style and title of the American Volunteer Printing Company, with a capital of ten thousand dollars, to be divided into one hundred shares of the value of one hundred dollars each, with the privilege of increasing the same by a vote of the stockholders at an annual or special meeting, to fifty thousand dollars, and with authority to have and use a common seal, the same to change at pleasure, and by the style and title aforesaid shall be capable in law to sue and be sued, and the said association to make all needful rules, regulations and by-laws for the management of the business of the corporation, and upon filing a duly proved certificate of the president and directors of said company in the office of the secretary of the commonwealth, may change the name of said corporation; the affairs of the company shall be managed by a board of five directors, who shall choose one of their number president and another secretary and treasurer, and said board shall be further empowered to appoint one of their number as general business manager of said company, should they deem it necessary, and said directors shall be elected annually at meetings of the stockholders called for the purpose, and at such elections each

share of stock shall entitle the holder thereof to one vote, which may be cast either in person or by proxy.

SECTION 2. The business of said association shall be confined to printing and publishing in all its branches, and the management of such real estate as they may purchase for the use of said association; and the said association shall have power to issue bonds for the completion of improvements, at a rate of interest not exceeding seven per centum per annum, not exceeding in amount of principal the amount of the capital stock of said company, and secure the same by mortgage on the real and personal property and franchises of the corporation: *Provided*, That said bonds shall not be issued for a less sum than one hundred dollars each, and shall be redeemable within twenty years.

Business.

May issue bonds.

SECTION 3. No certificate of stock shall be issued by said association until the full amount of the par value of the same shall be paid in cash, or in real or personal estate, and the directors shall declare dividends annually or semi-annually, as the profits of the corporation shall warrant.

When certificates of stock may be issued.

Dividends.

APPROVED—The 28th day of June, A. D. 1871.

JNO. W. GEARY.

No. 1059.

An Act

To incorporate the Gettysburg Springs Hotel Company.

SECTION 1. *Be it enacted, &c.*, That Robert M'Curdy, Robert G. M'Creary, Edward G. Fahnestock, C. H. Beuhler, James Bigham, David Wills, A. M. Hunter, D. M'Conaughy, Nicholas Weaver, Francis Cunningham, Emanuel Harmon, J. M. Emerson, W. A. Duncan, George M. Howell, J. Emory Bair and their associates, successors and assigns, or a majority of them, be and they are hereby authorized to form and be a body corporate, to be known as the Gettysburg Springs Hotel Company, and by that name, style and title shall have perpetual succession and all the privileges, franchises and immunities incident to a corporation; may sue and be sued, plead and be impleaded, complain and defend in all courts of law and equity; may have a common seal, and may purchase, receive, hold and enjoy to them, their successors and assigns, all such lands, tenements, leaseholds, estates and hereditaments, goods and chattels, securities and estates, real and personal and mixed, of what kind and quality soever, as may be convenient or necessary and advantageous for the purposes of conducting a hotel or hotels, establishing a watering place or places of entertainment, and affording all need-

Corporators

Name.

Powers and privileges.

ful facilities for getting to and from the same, and said property or any part thereof, to sell convey, lease or dispose of, when, in the opinion of said corporation, it may be proper to do so, or to keep and conduct the same as a public watering place.

Capital stock.

SECTION 2. The capital stock of said corporation shall consist of four thousand shares, of the par value of fifty dollars each, making a total of two hundred thousand dollars, and with the privilege of increasing the same, by a vote of the holders of a majority of the stock present, at any annual or special meeting, to such an amount as they may from time to time deem needful; and each share of stock shall entitle the holder thereof to one vote, to be given in person or by proxy, executed within three months of the time of voting on the same, said stock to be transferable on the books of the company, under such regulations as may be adopted by the corporation; and for the purpose of obtaining subscriptions to the said capital stock, books shall be opened under the direction of the aforesaid corporators, or any three of them, at such time and place or places, as they may deem expedient; such subscriptions shall be payable in money, or may by agreement be made payable in lands, tenements, hereditaments, rights, privileges, stock, fixtures or personal property, at such prices as may be agreed on by a majority of the corporators or the corporation when organized.

Votes.

Stocks transferable.

Subscriptions.

How payable.

May borrow money and issue bonds.

SECTION 3. That the said company shall have power to borrow money to an amount not exceeding one-half of the capital stock authorized by the second section, and issue bonds therefor in denominations not less than one hundred dollars, and bearing interest at a rate not exceeding seven per cent. per annum, payable in gold or its equivalent, and to secure the payment of the principal and interest of said bonds by a mortgage or mortgages of all the lands and tenements, hereditaments, rights, franchises and privileges that may be possessed by said corporation; and also, said corporation shall have power to borrow money on the security of the personal property of the company, and issue bonds in payment thereof, as provided above, and execute a mortgage or mortgages as security for said bonds of all the personal property of the company, or the real estate and personal property of the company; or the real estate and personal property of the company may all be pledged in one consolidated mortgage, at the option of the corporation; which said mortgage or mortgages, when recorded according to law, shall be valid and binding lien or liens on all the property, whether real or personal, described in them, and thereby pledged, and the same remedies shall be in force for the recovery thereof, as are now provided for mortgages of real estate alone.

Management.

SECTION 4. The affairs of the company shall be managed by seven of the persons named in the first section of this act, who shall be stockholders, with power to elect a president from this number and a secretary and treasurer, which office may be combined in one person, and to serve until directors shall be elected as hereinafter provided; and whenever a sufficient amount of stock is subscribed to justify the company

Organization.

in the judgment of its managers in proceeding to the prosecution of its business, a general meeting of the stockholders shall be called by the said managers at such time and place as they may determine, for the purpose of organization, at which meeting a president and six directors shall be elected to serve until the next election, and subsequent election of officers shall be held annually on the first Monday in July, at such place as the by-laws may prescribe; *Provided*, That a failure to elect a president and directors at the time named shall not work a forfeiture of this charter, but the then existing officers shall retain their places until an election shall take place; and the said company shall have power to make all such by-laws and regulations as may be necessary for the management and regulation of its affairs: *And it is further provided*, That the secretary and treasurer may be combined in one person and elected from one of the board of directors, if thought proper.

Annual election.

Failure to elect.

By-laws and regulations.

Secretary and treasurer.

APPROVED—The 28th day of June, A. D. 1871.

JNO. W. GEARY.

No. 1060.

An Act

To incorporate the Hamilton Bank, to be located at Philadelphia.

SECTION 1. *Be it enacted, &c.*, That Joseph H. M'Keehan, C. H. Biles, D. R. Walker, George H. Schofield, William Finley, John Tull, and their associates and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Hamilton Bank, to be located at Philadelphia, and shall so continue until the first of February, Anno Domini one thousand eight hundred and ninety-one, and by that name shall and may sue and be sued, plead and be impleaded in any court whatsoever; may have a common seal, may alter or renew the same; also may have the right to own and hold real estate, and improve or dispose of the same at pleasure.

Corporators.

Name.

Powers and privileges.

SECTION 2. The capital stock of said bank shall consist of one thousand shares of the value of one hundred dollars each, with the privilege of increasing the same, from time to time, by a vote of the directors, to an amount not exceeding five thousand shares, of like value per share; and when the capital stock is so increased the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

Capital stock.

Subscriptions to stock.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock, at such times and places as they may deem expedient; and when one thousand shares or more of said stock shall have been subscribed, and twenty per centum thereon of the same paid in, (oath to the same being paid having been made by a majority of the corporators,) the shareholders may elect a president and six directors, to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve to be filled by the board.

Election of president and directors.

Vacancies.

Banking privileges.

SECTION 4. The said board shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust, or as collateral security for loans, or advances or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market in the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

By-laws.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or United States, and shall have power to require payments of any amount remaining unpaid on the stock of the said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

Forfeiture of stock for non-payment.

Additional banking privileges.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw, discount or negotiate bills of exchange, bills of lading, promissory notes or other negotiable paper, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities.

Financial agent.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of the state of Pennsylvania and other states, of city governments and counties and districts, in the management of their business, and shall give security to such institutions, states and governments for the faithful performance of the duties, if required.

Dividends.

SECTION 8. The board of directors shall have power to declare and pay dividends, out of the earnings of the bank, to the stockholders, at such times and in such amounts as to them may seem proper.

SECTION 9. The annual election for president and directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by a written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given; five days' notice, by publication in one or more of the city papers, shall be given of the time or place where such election will be held, and said election shall be conducted according to the by-laws.

Annual election.

Officers and agents.

Votes.

Notice of election.

SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law, and this charter shall continue for twenty years.

Bonus and taxes.

Limitation.

SECTION 11. That the stockholders shall be liable, in their individual capacity, to double the amount of stock held by them respectively.

Liability of stockholders.

SECTION 12. The legislature hereby reserves the right to alter, revoke or annul the said bank, whenever in their opinion it may be injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the corporators, subject to the bonus now imposed by law.

Right to revoke charter.

APPROVED—The 3d day of January, A. D. 1872.

JNO. W. GEARY.

APPENDIX—1872.

No. 1061.

An Act

To incorporate the Glen Olden Land Association, in the county of Delaware.

Corporators.

SECTION 1. *Be it enacted, &c.,* That William Ward, W. D. H. Serrill, S. T. Fuller, M. M. Sheldrake, Isaac Gebhart and Richard Thatcher, or a majority of them, and such other persons as shall be associated with them, their successors and assigns, be and are hereby constituted and erected into a body politic and corporate in deed and in law, with all the powers and privileges incident to the same, by the title of the Glen Olden Land Association, with a capital of two hundred thousand dollars, with power to increase the same to three hundred thousand dollars, to be divided into shares of one hundred dollars each.

Title.

Capital.

Powers, &c.

SECTION 2. That said corporation shall have power to make and use a common seal, and be able in law to sue and be sued in the courts of this commonwealth, and may make all needful regulations and by-laws for the conducting of the affairs of the association: *Provided,* The same shall not conflict with the laws of this commonwealth.

Management

SECTION 3. The affairs of this corporation shall be managed by a board of seven directors, who shall be elected as the by-laws shall determine, and who shall appoint a secretary and treasurer, who shall hold office until their successors shall be elected.

Further powers.

SECTION 4. The said corporation may purchase and hold real estate in Delaware county not exceeding four hundred acres, and may improve the same by laying out streets and erecting buildings, with power to lease, sell, mortgage or otherwise dispose of the same or any part thereof as they may see fit, and to do such other acts as may promote the improvement of their property: *Provided,* Nothing herein contained shall be construed to authorize said corporation to exercise banking privileges.

APPROVED—The 10th day of February, A. D. 1872.

JNO. W. GEARY.

No. 1062.

A Further Supplement

To the act, entitled "An Act to incorporate the Northern Railroad and Navigation Company."

SECTION 1. *Be it enacted, &c.*, That section four of the act, entitled "An Act to incorporate the Northern Railroad and Navigation Company," shall be so construed as to allow the company to connect with the Allegheny Valley or any other railroad built or to be built in Clearfield and Jefferson counties, and to construct branches in said counties the same as is authorized in the counties named in said fourth section.

APPROVED—The 15th day of February, A. D. 1872.

JNO. W. GEARY.

No. 1063.

An Act

To incorporate the Mauch Chunk Savings Bank, to be located in the borough of Mauch Chunk, Carbon county.

SECTION 1. *Be it enacted, &c.*, That D. K. Shoemaker, Alexander Robison, W. B. Mack, Allen Craig, R. M. Brodhead, Cristopher Curran, James W. Heberling, Max Schwerb-ing and Benjamin Yeager, their associates and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Mauch Chunk Savings Bank, to be located in the borough of Mauch Chunk, county of Carbon, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatever, may have a common seal, may renew or alter the same; also may have the right to own and hold such real estate as may be necessary for the transaction of their business, together with such as may be held by the bank as security for debts or in satisfaction thereof, and the same to grant, mortgage or demise.

Corporators.

Name.

Powers and privileges.

SECTION 2. The capital stock of said bank shall consist of five hundred shares, of the value of fifty dollars, and each with the privilege of increasing the same from time to time, by a vote of the directors, to an amount not exceeding four thousand shares of like value per share, and when the capital is so increased, the stockholders shall have the right to take the shares authorized by such increase at such price as the

Capital stock.

board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

Subscriptions.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscriptions to the capital stock at such times and places as they may deem expedient, and when five hundred shares or more of said stock shall have been subscribed, and twenty thousand dollars of the capital stock paid in, the stockholders may elect a president and six directors to serve until the next annual election or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve, to be filled by the board.

Election of president and directors.

Vacancies.

Banking privileges.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the legal interest may be received in advance, and shall have the right to hold in trust or as collateral security for loans, or advances or discounts, estates, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the said may be held in any market of the world, for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

By-laws.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or of the United States; and shall have power to require payments of any amount remaining unpaid on the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

Payment of amounts remaining unpaid on stock.

Further banking privileges.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states, and of the United States, or other good and sufficient securities, at such rates as may be agreed upon.

May act as financial agent.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable, literary, manufacturing, financial and religious institutions and other corporations, and as financial agent of the state of Pennsylvania, and other states, of municipal governments, and counties and districts in the management of their business, and shall give security to such institutions, states and governments, for the faithful performance of the duties, if required.

Dividends.

SECTION 8. The board of directors shall have power to declare any dividends out of the earnings of the bank, to the

stockholders, at such times and in such amounts as to them may seem proper.

SECTION 9. The annual election for the president and directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said proxy must be dated within six months of, and five days prior to the election for which such proxy was given; twenty days' notice, by publication in one or more newspapers published in Carbon county, shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws.

Annual election.

Officers and agents.

Votes.

Notice of election.

SECTION 10. That the said corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per cent., in two equal annual payments, and such taxes as are now or may hereafter be required by law; and this charter shall continue for twenty years, the legislature reserving the right to revoke or annul such charter, if considered necessary for the public interest.

Bonus and taxes.

Limitation.

Reservation.

SECTION 11. Stockholders shall be liable, individually, for an amount double the stock held and in addition thereto.

Individual liability.

APPROVED—The 23d day of February, A. D. 1872.

JNO. W. GEARY.

No. 1064.

An Act

Incorporating the Manchester Loan Association of Allegheny.

SECTION 1. *Be it enacted, &c.,* That D. L. Patterson, James A. Sholes, William B. Ross, Jacob Rush, James Welsh, A. C. Patterson, Robert H. Knox, William F. Trimble, M. G. Clark, W. C. Cooke, Henry Warner, Jr., and their successors, shall be and they are hereby created and made a corporation and body politic in deed and in law by the name and style of the Manchester Loan Association of Allegheny, and also power to make, have and use a common seal, the same to alter and renew at pleasure, and by the name and style aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in any court or courts in this commonwealth or elsewhere, before any judge or justice, in all manners of suits, complaints, pleas, causes, matters and demands whatsoever, and all and every matter and thing therein to do in as full and effectual a manner as any other person or persons, bodies politic and

Corporators.

Name.

Powers and privileges.

corporate within this commonwealth may or can do, and to make rules and by-laws not inconsistent with the laws of this commonwealth or of the Federal Government, and to be able to do every other thing needful and necessary to carry into effect the provisions and aims of this act of incorporation.

Location.

SECTION 2. The said association shall be located in such part or parts of Allegheny city, in the county of Allegheny, and state of Pennsylvania, as the board of directors may deem proper, having one principal office with the option of having one or more subordinate offices or places of business as the directors may deem prudent, and a misnomer of the said corporation, in any instrument of writing, shall not defeat the purpose or legal effect of the same: *Provided*, It can be clearly ascertained that the said corporation was in fact intended.

Offices.

Misnomer.

Further powers.

SECTION 3. It shall be lawful for said corporation to purchase and hold, and it shall be able and capable in law to take, receive, hold and enjoy all and all manner of lands, tenements, rents, annuities, judgments, bonds, stocks and other evidences of indebtedness whatsoever, and all sum or sums of money and any portion of goods and chattels: *Provided*, The whole of said assets, at any time, shall not exceed the sum of one million of dollars, and the same shall be employed and disposed of according to the objects, articles and provisions embraced in this enactment or charter, or agreeably to the by-laws of this corporation made in pursuance of its corporate powers for the transaction of its business, and it shall be able and capable in law to purchase and hold all real estate necessary and proper for the convenient transaction of its business, and the same to sell and purchase other real estate for a like purpose, when in the opinion of the board of directors a change of locality is expedient.

Assets.

Real estate.

Capital stock.

SECTION 4. The capital stock of said corporation shall consist of one thousand shares, of the value of one hundred dollars each, with the privilege of increasing the value of said shares to any amount not exceeding the sum of five hundred dollars each, or increasing the number of shares to any amount not exceeding five thousand shares of one hundred dollars each, by and with the consent of a majority in number and value of the shareholders, who shall likewise have the right to determine how the stock thus created shall be disposed of.

Subscriptions.

SECTION 5. The incorporators or a majority of them shall have power to open books for subscription to the capital stock at such time and place as they may deem expedient; it shall be competent for the stockholders to elect nine directors to serve until the next annual election, or until their successors shall have been duly elected and qualified, and to them shall be entrusted the management of the affairs of the said corporation.

Election of directors.

Certain act extended to.

SECTION 6. That the provisions of an act, entitled "An Act supplementing the charter of the Freehold Bank and Building Association of the city of Pittsburg," approved the third day of March, one thousand eight hundred and seventy, with all the powers, privileges and immunities thereby conferred,

be and the same are hereby extended to the said Manchester Loan Association so far as the same are applicable thereto.

APPROVED—The 26th day of February, A. D. 1872.

JNO. W. GEARY.

No. 1065.

An Act

To incorporate the Franklin Sewing Machine Company.

SECTION 1. *Be it enacted, &c.*, That Marmaduke Moore, William M. Smith and William L. Kite, and their associates and assigns, be and they are hereby created a body politic and corporate, by the name, style and title of the Franklin Sewing Machine Company, to be located at Philadelphia, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name, property, real, personal and mixed, and using and applying such property for the purpose of manufacturing, buying, using, granting rights and selling machines and patent rights for making sewing machines, and also of doing work with such machines, and for this purpose may hold or erect houses and such other buildings and works of all kinds as may properly appertain to such business.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper to carry out the objects of the corporation, and the same to alter or amend, add to or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure; and to issue certificates of stock and bonds, representing the value of their property, in such form and subject to such regulations as they may from time to time by their by-laws prescribe; and to regulate and prescribe in what manner and form their contracts and obligations shall be executed.

SECTION 3. That the corporators named in this act shall elect persons to serve as directors, and a majority of them shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.

SECTION 4. That it shall be lawful to establish the necessary offices for the business of the company wherever their business is located, and to have their principal office in such place as they deem expedient, at which place it shall be lawful to hold all meetings for the transaction of the business of the company.

Stockholders may
change name.

SECTION 5. That the stockholders of said company be and they are hereby authorized to change the name of and title of said company, which shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

APPROVED—The 27th day of February, A. D. 1872.
JNO. W. GEARY.

No. 1066.

An Act

To incorporate the Millerstown Iron Company.

Corporators.

SECTION 1. *Be it enacted, &c.,* That James Singmaster, Franklin S. Shiner, J. F. M. Shiffert, Aaron Erdman, William B. Erdman, John Shiffert, Isaac Kriebel, Samuel W. E. Romich, James F. W. Romich, Gideon F. Egner, Christian K. Hemminger, Benjamin Jerrett, David Kemmerer, Edwin Haimes, H. M. Sigman, William M. Gehman, Isaac M'Hose, William H. Clymer, Jacob Riegel, Dr. Leshner Trexler, William Lillie, Charles S. Shimer, John Fogel, David Danner, Sr., Phaon Albright, Samuel M'Hose, Levi Smoyer, Henry Shankweiler, Dr. Henry Hartzell, Weston Dotson, C. W. Cooper, and all such other persons and parties, companies and firms as shall become stockholders in the company hereby incorporated, shall be and they are hereby constituted a body politic and corporate, by the name and title of the Millerstown Iron Company, to be located at or in the vicinity of the borough of Millerstown, Lehigh county, Pennsylvania, and by the said name, style and title shall have all the powers, immunities and privileges of a corporation and body politic in law, for the purpose and business of mining iron ore, manufacturing, buying and selling iron and steel, and all manufactures thereof, and for the purposes aforesaid shall have power to hold, in fee simple or for any less estate, lands in this commonwealth not exceeding one thousand acres.

Title.

Powers and priv-
ileges.

Subscriptions to
stock.

First election for
officers.

Votes.

SECTION 2. That any six of the corporators herein named may proceed to open books for subscription to the capital stock of the said company, at Millerstown or elsewhere, and when one thousand shares of stock are subscribed for and ten per centum fully paid thereon in money, the corporators named in this act or any any six of them, shall call a meeting of the stockholders for holding the first election for officers of the said company, and when said election is made, this act shall take effect; each share of stock shall entitle the holder thereof to one vote, and stockholders may vote in person or by proxy.

SECTION 3. That the capital stock of said Millerstown Iron Company, which shall be assignable only on the books of the company, shall be two hundred and fifty thousand dollars, to be divided into shares of fifty dollars each, with the right and power in the said company, to increase its capital stock, from time to time, as it may elect, to any sum not exceeding five hundred thousand dollars.

SECTION 4. That the affairs of the said company shall be managed by a president, a vice president and nine directors, to be elected annually, after the first election, by the stockholders, out of their number, and shall hold their offices for one year, and until their successors are elected; but any failure or omission to elect such directors annually, shall, in nowise, impair or effect, meanwhile, the rights and powers of those holding over, or the rights and interests of the said company in any way; such board of directors shall elect a treasurer and secretary for the said company, and such other officers and agents of said company as they may deem necessary to manage the affairs of the company, and shall fill all vacancies occurring in their own body until the next succeeding election by stockholders, and a majority of said board shall constitute a quorum for the transaction of business; they shall have power to make by-laws for the regulation of the affairs of the company, subject to the revision, approval or rejection of the stockholders and not inconsistent with the laws of this commonwealth, or of the United States or the provisions of this charter.

SECTION 5. That the said company shall have power to construct lateral railroads not exceeding five miles in length, and to cross at grade or connect with any other railroad now built, or which shall hereafter be built, with all the powers and privileges, and subject to all restriction, terms and conditions authorized and empowered by an act regulating railroad companies, passed on the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 6. That the said company may borrow money and create indebtedness in such way and manner as the board of directors may deem necessary for the prosecution and management of the business of said company, and issue securities of said company therefor, in such manner and form, and payable in such places as they may deem best, at a rate of interest now allowable by law, and dispose of such securities in such manner and at such places as said board may direct.

SECTION 7. This corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum on the capital stock hereby authorized or hereafter created in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in twelfth, thirteenth and fourteenth sections of the act incorporating

Capital stock.

Management.

Annual election of directors.

Officers and agents.

Vacancies.

Quorum.

By-laws.

May construct lateral railroads.

Borrow money and create indebtedness.

Bonus.

Taxes on dividends.

Individual liability.

the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

APPROVED—The 27th day of February, A. D. 1872.

JNO. W. GEARY.

No. 1067.

An Act

To incorporate the Mount Pleasant Gas Light Company.

Corporators.

Name.

Powers and privileges.

Authority to supply gas and erect works.

Right to enter upon streets and enclosures.

Damages.

SECTION 1. *Be it enacted, &c.,* That C. S. Overhold, A. O. Tinstman, M. O. Tinstman, C. C. Markle, John Sherrick and Daniel Shupe, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate by the name and style of the Mount Pleasant Gas Light Company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts of law or equity within this commonwealth and elsewhere; and also of contracting and being contracted with relative to the business and objects of the corporation, as hereinafter declared, and they and their successors, as aforesaid, shall have power to lease or purchase, in fee simple, such real estate as may be necessary for carrying on the business of said corporation.

SECTION 2. That the corporation hereby created shall have authority of supplying with gas light the borough of Mount Pleasant, in the county of Westmoreland, and such individuals residing therein, and immediate vicinity, as may desire a supply of the same, and of distributing and selling gas for the production of artificial light, and of making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing the necessary materials, with the right to enter upon any of the public streets, lanes, alleys and side-walks, in said borough and vicinity, for the purpose of laying pipes for the distribution of gas, as the company may deem necessary, and may enter into such lands and enclosures as may be necessary, and dig trenches through and across them for the same purpose, doing as little damage as possible to private property, and paying for whatever injury may be done by them; and if the parties cannot agree on the amount of damages, the same shall be assessed by three disinterested men, on oath, to be appointed by the court of common pleas of Westmoreland county, on the application of either party; and the said company shall have the like privileges as to re-laying or taking up or repairing the said pipes as often as the same may be neces-

sary: *Provided*, That the said company shall fill up trenches and restore the said streets, lanes, alleys and side-walks, and the private property, as aforesaid, as near as may be to the condition they were respectively in before said trenches were dug, at the proper cost and expense of said company. Proviso.

SECTION 3. That the capital stock of said company shall be fifty thousand dollars, to be divided into one thousand shares of fifty dollars each, with the right to increase the said capital stock, from time to time, as the board of directors shall deem necessary: *Provided*, That the whole capital stock shall not at any time exceed seventy thousand dollars. Capital stock

SECTION 4. The managers of this company are hereby authorized and empowered, should the same be deemed necessary, to borrow any sum or sums of money in their corporate capacity not exceeding twenty thousand dollars, for the purpose of aiding them in the construction of their work, and to secure the payment of the same shall make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation, or give such other evidences of indebtedness as may be agreed upon; and the said managers shall provide for the payment of the interest upon any loan made under this section out of the receipts for gas before any dividends shall be paid to the stockholders: *Provided*, That no bond, certificate or other evidence of indebtedness shall be issued for a less sum than one hundred dollars. Managers authorized to borrow money.

SECTION 5. That the management and control of the Mount Pleasant Gas Light Company shall be vested in the persons named in the first section of this act until the period herein fixed for the regular election of directors of said company, who shall choose from their number a president, treasurer and secretary, who shall meet from time to time and at such places within said borough as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company, and that the stockholders shall meet annually on the first Monday in May, at such places as they shall determine upon, and elect seven directors for said company, all of whom shall be stockholders, who shall select from their number as aforesaid, a president, secretary and treasurer for said company; the notice for such election of directors and the manner of conducting the same to be provided for in the by-laws of said company, and the number of votes that each stockholder shall be entitled to at such election shall be according to the number of shares owned by such stockholder, to wit: For each share not exceeding two shares, one vote; for every two shares above two and not exceeding ten shares one vote; for every five shares above ten shares one vote; and no share shall confer right of voting which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears absolutely and *bona fide* in his or her own right, or in the right of his wife, or for his or her use and benefit as an executor, administrator, trustee or guardian, or in the right and for the use of some co-partnership, corporation or society of which he or she may be a member. Management.

Election of directors.

Votes.

Certificates of
stock.

SECTION 6. That the said company shall procure certificates or evidences of stock for all the shares of said company, and shall deliver one such certificate, signed by the president and countersigned by the secretary and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned, which certificates of stock shall be transferable at his or her pleasure, in person or by attorney duly authorized, in the presence of the president or secretary, in a book to be kept by the corporation for that purpose.

Meetings, powers,
&c., of directors.

SECTION 7. That the board of directors of said company shall meet at such times and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of their transactions fairly entered in a book; and a quorum being formed, they shall have full power and authority to purchase lands for the gas works and erect the same, to appoint all officers and employ such assistants as shall be necessary to carry out the objects of this corporation, to direct what orders shall be drawn upon the treasurer, which shall be signed by the president and countersigned by the secretary, to fix all salaries and rates for the use of gas, to enact by-laws for the proper regulation and government of said corporation, and generally to do all such matters, act and things as by this act and the by-laws they are authorized to do.

Dividends.

SECTION 8. That the board of directors of said company shall declare dividends of so much of the net profits of the said company as shall appear to them advisable, on the first Monday of June and December of each year, which shall be paid to the stockholders, on demand, ten days after the same shall have been declared.

Penalty for taking
gas without au-
thority.

SECTION 9. That if any person or persons shall open a communication into the gas main or other gas pipe of said company, without authority from the street inspector or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector or authorized agent of said company, for repairs or any other cause or purpose, or shall put up any pipes or burners, in addition to the pipes originally put up and inspected, and introduce into them gas, without authority aforesaid, he, she or they shall be subject to a penalty of not less than five nor more than fifty dollars, to be recoverable before any justice of the peace, as debts of like amount are by law now recoverable, one half to be paid to the informer and the other half to said company.

How recoverable.

Punishment for
injuring works of
company.

SECTION 10. That if any person shall willfully or maliciously do or cause to be done any act or acts whatever, whereby any building, works or constructions of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by fine not exceeding

five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not impair the right of said company to a full compensation in damages by civil suit.

APPROVED—The 1st day of March, A. D. 1872.

JNO. W. GEARY.

No. 1068.

An Act

To incorporate the Tuscarora Valley Railroad Company.

SECTION 1. *Be it enacted, &c.*, That Joseph Pomeroy, S. T. Commissioners, M'Culloh, David Wilson, John Kepner, Noah Hartzler, John Gilliford, Col. J. R. Robison, James North, Caleb Parker, James Kelly, Samuel Wharton, Daniel Conn, E. Oles, J. P. Sterret, Samuel B. Crawford, Thomas Arbuckle, George M'Culloh, John Patterson, (Peru.) William Neely, A. J. Ferguson, Robert Robison Willson D. Cramer, James M'Knight, Joseph Pennell, William Bell, W. C. Laird, William W. Wilson, Noah A. Elder, Robert C. Gallaher, John Wright, John S. Patterson, George Jacobs, R. E. Parker and John Graybill, or any five of them, be and they are hereby appointed commissioners to open books and receive subscriptions and organize a company by the name, style and title of the Tuscarora Valley Railroad Company, with power to construct a railroad from any point on the Pennsylvania railroad, in the county of Juniata, and thence by any other the board of directors may adopt, through Tuscarora valley, to the line of either the Huntingdon or Franklin county, with power to connect with any other railroad within said counties which is now or may hereafter be built; and the said railroad company shall be entitled to all the privileges and be subject to all the provisions and restrictions prescribed by an act regulating railroad companies, approved February nineteenth one thousand eight hundred and forty-nine, and the several supplements thereto.

Title.

Construction of railroad authorized.

Subject to.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of four thousand shares, of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, or otherwise, as hereinafter provided, increase their capital stock to an amount sufficient to complete said road and carry out the true intent and meaning of this act.

SECTION 3. That said railroad company is hereby authorized to construct branches, or lateral railroads, not exceeding nine miles in length, to any mines, quarries or manufactories,

Authority to construct branches, additional tracks, &c.

or to connect with any other railroad in the counties through which their said railroad may pass, and construct additional tracks, sidelings, turn-outs, depots, water stations, engine houses, shops, offices, telegraph wires and all necessary buildings, houses, shops and offices, together with platforms and schutes for loading and unloading ores and minerals; and whenever said company shall enter upon lands for the purposes aforesaid, they shall stake off and designate the boundaries of the same, and make an accurate survey and draft thereof, upon which shall be based all legal proceedings for the recovery or adjustment of damages.

To designate boundaries and make survey of lands entered on.

Power to borrow money and pledge property.

Bonds, denominations of.

May be convertible into stock.

Proceedings in case of disagreement as to damages.

SECTION 4. That the president and directors of said company shall have power to borrow money, from time to time, in such sums and at such rates of interest as they may think proper, not exceeding seven per cent., for the construction of said railroad, and the procuring of the rolling stock therefor, and to pledge the said road, rolling stock and franchises, or any part thereof, by bonds, mortgage or otherwise, for the payment of the same: *Provided*, That said company shall not issue bonds for a less denomination than one hundred dollars; and the said bonds may be convertible into capital stock of said company at the option of the holder thereof, or otherwise, as the said president and directors may elect.

SECTION 5. That in all cases where said company and the owners of lands and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties named, according to law: *Provided*, In case the party or parties claiming damages refuse to accept the bond or bonds tendered by said company, the said company may in such cases present their bond or bonds to the court of common pleas of the proper county, or the judges thereof, and if the said court, or the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of said court for the benefit of those interested, whereupon the said company may enter upon or take possession of such land and materials.

Cases where owners of lands and materials are minors, lunatics, &c.

SECTION 6. That in all cases in which the owners of lands and materials are minors, lunatics or habitual drunkards, it shall and may be lawful for the guardian or committee of such owners and the said company amicably to adjust the amount of damages to be paid, if they can agree; and on payment of the amount it shall be lawful for such guardian or committee to release said company for all claims therefor, and to execute all necessary papers in the premises; in case the said parties cannot agree, the said company may proceed as is provided for in the fifth section of this act.

Directors.

Quorum.

SECTION 7. That the number of directors shall be nine, of whom the president shall be one; and five of the directors of said company shall constitute a quorum to do business.

SECTION 8. That the said Tuscarora Valley Railroad Company shall commence their said road within three years from the first day of July, Anno Domini one thousand eight hundred and seventy-two: *Provided*, That the right to construct branches, additional tracks, sidelings, turn-outs, depots, water stations, engine houses, shops, offices, telegraph wires, and all necessary buildings, houses, shops and offices, together with platforms and shutes for loading and unloading ores and minerals as provided in the third section of this act, shall not terminate with such completion, but shall continue by corporate powers of said corporation.

When road to be commenced.

Proviso.

APPROVED—The 5th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1069.

A Supplement

To the act, entitled "An Act incorporating the Philadelphia Marsh Land and Drainage Company."

SECTION 1. *Be it enacted, &c.*, That Jos. Johnson, E. Paul, J. H. Graham, William Powers, Charles F. Robinson, A. List, be and they are hereby declared to be the corporators of the Philadelphia Marsh Land and Drainage Company, in lieu of the persons named in the said act, approved June twenty-eight, Anno Domini one thousand eight hundred and seventy-one.

APPROVED—The 7th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1070.

A Further Supplement

To an act incorporating the East Broad Top Railroad and Coal Company, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted, &c.*, That the supplement to the act incorporating the East Broad Top Railroad and Coal Company, approved the fourteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, be and the same is hereby repealed.

APPROVED—The 7th day of March, A. D. 1872.

JNO. W. GEARY

No. 1071.

An Act

To authorize the Shenango and Allegheny Railroad Company to construct branches.

SECTION 1. *Be it enacted, &c.*, That the Shenango and Allegheny Railroad Company be and hereby is authorized and empowered to construct three branches from their road, as may be necessary and convenient for the development and transportation of coal, ore, limestone and other minerals in the vicinity of their road: *Provided*, Such branches shall not exceed a distance of ten miles from the main line of said company; the said branches shall be subject to the provisions of the charter of said company, the supplements thereto, and in like manner subject to the general laws of the commonwealth regulating railroad companies: *Provided further*, That the said branches shall be completed within two years from the time of their location.

APPROVED—The 7th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1072.

An Act

To incorporate Delaware County Railroad.

Commissioners.

SECTION 1. *Be it enacted, &c.*, That John M. Broomall, Enos Williamson, Amos Gartside, Wm. Evans, John M. Pomeroy, Enos Smedley, Caleb Pierce, Antrim Osborne, William Ward, Samuel Bancroft, Henry Palmer, Isaac Haldeman, (Newton Square,) William H. Miller, James R. Cummins, Isaac Worrall, Jr., D. Reese Esrey, John Roach, be and the same are hereby appointed commissioners to open books and receive subscriptions and organize a company by the name, style and title of the Delaware County Railroad, with power to construct a railroad from a point on the Pennsylvania Central Railroad, at or near the intersection of said road with the West Chester railroad, or at or near Paoli, in Chester county, thence by the most available route by way of Media, terminating at the bank of the Delaware river, within or near the limits of Chester city, and the said company shall be entitled to all the privileges and be subject to all the provisions and restrictions prescribed by an act relating to railroad compa-

Title.

Construction of
railroad author-
ized.

Privileges, &c.

nies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of four thousand shares of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders or otherwise, as hereinafter provided, increase their capital stock to an amount to complete said road and carry out the true intent and meaning of this act. Capital stock.

SECTION 3. That said railroad company is hereby authorized to construct branches or lateral railroad not exceeding nine miles in length, to any mines, quarries or manufactories, or to connect with any other railroads in the counties of Chester, Montgomery and Delaware, to project and construct additional tracks, sidelings, turn-outs, depots, water stations, engine houses, shops, offices, telegraph wires, together with platforms and schutes for loading and unloading ores and minerals, and whenever the said company shall enter upon lands for the purposes aforesaid, they shall stake off and designate the boundaries of the same and make an accurate survey and draft thereof, upon which shall be based all legal proceedings for the recovery or adjustment of damages. Branches.
Additional tracks, sidings, &c.
To designate boundaries and make survey of lands entered on.

SECTION 4. That the president and directors of said company shall have the power to borrow money from time to time, in such sums and at such rates of interest as they may think proper, not exceeding eight per centum, for the construction of said railroad and the procuring of the rolling stock thereof, and to pledge the said road, rolling stock, franchises or any part thereof, by bonds, mortgages or otherwise, for the payment of the same: *Provided*, That the said company shall not issue bonds for a less denomination than one hundred dollars, and the said bond may be convertible into capital stock of said company at the option of the holder thereof, or otherwise, as the said president and directors may elect. President and directors may borrow money and issue bonds.

SECTION 5. That in all cases where said company and the owners of land and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, or assessed according to law: *Provided*, In case the party or parties claiming damages refuse to accept the bond or bonds tendered by said company, the said company may, in such cases, present their bond or bonds to the court of common pleas of the proper county, or any one of the judges thereof, and if the said court, or any of the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of said court for the benefit of those interested, whereupon the said company may enter upon or take possession of said land or materials. Proceedings in cases of disagreement as to damages.

SECTION 6. That in all cases in which owners of lands and materials are minors, lunatics or habitual drunkards, it shall and may be lawful for the guardian or committee of such Cases where owners of lands and materials are minors, lunatic, &c.

owners and the said company amicably to adjust the amount of damages to be paid, if they can agree; and in payment of the amount, it shall be lawful for such guardian or committee to release said company from all claims therefor, and to execute all necessary papers in the premises; in case the said parties cannot agree, the said company may proceed as is provided for in the fifth section of this act.

Directors.

SECTION 7. That the number of directors shall be nine, of whom the president shall be one; and the president and four of the directors of said company shall constitute a quorum to do business.

When road to be commenced.

SECTION 8. That the said Delaware County Railroad Company shall commence said road within five years from the first day of July, Anno Domini one thousand eight hundred and seventy-two: *Provided*, That the right to construct branches, additional tracks, sidelings, turn-outs, depots, water stations, engine houses, shops, offices, telegraph wires, and all necessary buildings, houses, shops, and offices, together with platforms and schutes for loading and unloading ores and minerals, as provided in the third section of this act, shall not terminate with such completion, but shall continue as corporate powers of said corporation.

Proviso.

Subject to.

SECTION 9. That the said company shall be subject to all the provisions and restrictions of the act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as the same are not altered or supplied by this act.

APPROVED—The 8th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1073.

An Act

Supplementary to an act, entitled "An Act to incorporate the Shippensburg Improvement Company," approved May twenty-fourth, one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That the Shippensburg Improvement Company shall have authority to change the name, style and title of the company, which change shall be valid after a certificate thereof, signed by the president and attested by the secretary under the corporate seal of the company, shall be filed in the office of the secretary of the commonwealth: *Provided*, That a majority of the directors shall be citizens of the United States.

APPROVED—The 9th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1074.

An Act

Incorporating the Black Barren Spring Company.

SECTION 1. *Be it enacted, &c.,* That Frank P. Boynton, Daniel S. Lindsay, James T. Doran, Robert W. Bickley, Nathan W. Blake and John A. Blake, and such other persons as they shall associate with them, and their successors, or assigns, be and they are hereby created a body politic and corporate by the name of the Black Barren Spring Company, and by such name shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name, property, real and personal, and of holding and improving or disposing of, by sale or otherwise, of all their lands or any part thereof, or all their lands or the products of the same, in order to the effectuating of the purpose for which the same is created, which is the development and sale of the Black Barren spring water, which spring is located in the southern part of Lancaster county: *Provided,* The number of acres held by said corporation shall not exceed two hundred and fifty.

Corporators.

Name.

Powers and privileges.

SECTION 3. The capital stock of this corporation shall consist of one thousand (1,000) shares, the par value of which shall be one hundred (\$100) dollars, to be subscribed for and paid in as may be directed by the by-laws.

Capital stock.

SECTION 3. That the said corporation shall have power to make such by-laws as may be deemed necessary to carry out the objects of the corporation, and the same to amend, alter and repeal at their pleasure, and to adopt a common seal and the same to alter at pleasure, and to issue certificates of stock and bonds representing the value of their property, and securing the same thereon by mortgage or otherwise: *Provided,* Said by-laws shall not be contrary to the constitution of this commonwealth.

By-laws, seal, &c.

SECTION 4. That the corporators named in this act, or a majority of them, shall elect persons to serve as a board of directors, which board shall consist of five (5) persons who shall be stockholders, a majority of whom shall constitute a quorum, and who shall hold their offices until the election of a new board of directors by the stockholders, in accordance with the by-laws.

Directors.

APPROVED—The 9th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1075.

An Act

To incorporate the Lycoming County Savings Bank.

Corporators.

SECTION 1. *Be it enacted, &c.,* That Jacob P. Finley, Joab H. Watson, T. B. Hamilton, Abram S. Young, J. Walker Leonard, Robert M. Faresman, Edwin G. Fay, James M'Conkey and Henry M'Cormick, together with such other persons as shall become stockholders in the bank hereafter mentioned, shall be and hereby created a corporation and body politic, by the name and style of the Lycoming County Savings Bank, to be located in the city of Williamsport, in the county of Lycoming, and by that name may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal, and renew and alter the same at pleasure, and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain to them and their successors, such real estate as may be necessary for the transaction of their business, together with such as may be held by said bank as security for debts, or in satisfaction thereof, and the same to grant, mortgage or demise, also to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of the state or of the United States.

Capital stock.

SECTION 2. That the capital stock of said bank shall be one hundred thousand dollars, with the right to increase the same by vote of the directors to five hundred thousand dollars, to be divided into shares of one hundred dollars each, which shall be paid in such instalments as the said bank may direct in its by-laws.

Subscriptions.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock, at such times and places as they may deem expedient; and when one thousand shares of said stock shall have been subscribed, and fifty per centum thereon of the same paid in, the shareholders may elect a president and nine directors to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve to be filled by the board: *Provided*, That no person shall be elected president or director of said bank who is not a stockholder therein.

Election of president and directors.

Vacancies.

How affairs to be conducted.

Cashier and other officers.

SECTION 4. The affairs of said bank shall be conducted by the president and directors aforesaid; said president and directors, or a majority of them, shall elect a cashier, and such other officers as they may deem necessary, and fix the compensation for the same, and all officers shall give bond to the corporation, with sufficient sureties, in such sums as may be required by said board, for the performance of their several duties; the officers so elected to be subject to removal by the

board of directors if in their judgment such removal would be to the interest of the corporation.

SECTION 5. The said bank shall have power to borrow money, but not in excess of the capital paid in, and to lend money for such period as the said bank may think proper; may discount any bill of exchange, foreign or domestic, promissory note, or other negotiable paper, and the interest, at legal rates, may be received in advance, and shall have the right to hold in trust, or as collateral security for loans or advances or discounts, estate, real, personal or mixed, including the notes, bonds, obligations, or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof, for the benefit of the said bank, or for the payment of the debts, as security for which the same may be held in any market of the world, without proceeding in law or equity, for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

Banking privileges.

SECTION 6. It shall be lawful for the said bank to receive deposits of money from individuals or corporations, either with or without interest payable thereon, and may buy or sell bullion, sell, draw or negotiate bills of exchange, bills of lading, stock and bonds of all companies, states and of the United States, or other good and sufficient securities, at such rates as may be agreed upon.

Further banking privileges.

SECTION 7. Said bank may become the depository and receive all trust and such other funds as may be paid into or be under the control of the several courts of this state and the laws of the same; to accept from and execute trusts for married women in respect to their separate property, whether real or personal, and act as agents for them in the management of such property, and to receive the deposits of married women and minors, and to pay the same upon their orders, checks or receipts, which shall discharge the said corporation from any further claim for the same; and deposits so made by married women and minors shall not at any time be subject to the claim or demand of or be payable to the husband of said married woman or to the parent or guardian of such minor.

May become depository of trust funds.

Executes trusts for married women.

Deposits by married women and minors.

SECTION 8. The board of directors shall have power to require payments of any amount remaining unpaid upon the stock of said bank at such times and in such proportions as they think proper; and after thirty days' notice, under penalty in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

Payment of amounts remaining unpaid on stock.

SECTION 9. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders at such times and in such amounts as to them may seem proper.

Dividends.

SECTION 10. An election of president and directors shall be held annually on such days as may be fixed by the by-laws; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by a written proxy, but said proxy must be dated not less than five days nor more than six months prior to the time of holding the elec-

Annual election.

tion for which such proxy was given; notice of such election to be given in at least one newspaper in Williamsport, for three weeks.

Limitation.
Reservation.

SECTION 11. This charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner however that no injustice shall be done to the corporators: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes.

Individual liability

SECTION 12. The stockholders in said bank shall be individually liable in double the amount of their stock for the debts of the bank.

APPROVED—The 14th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1076.

An Act

To incorporate the Titusville Novelty Iron Works.

Corporators.

Name.

Powers and privileges

SECTION 1. *Be it enacted, &c.*, That F. H. Gibbs, John T. Russel, William B. Sterrett and Aiken A. Aspinwall, and such other persons as they shall associate with them, successors and assigns, be and they are hereby created a corporation and body politic, by the name and style of the Titusville Novelty Iron Works, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court of law or equity in this state or elsewhere, may have a common seal and alter the same at pleasure; may acquire by purchase or otherwise, hold, improve or dispose of real, personal and mixed property, including the right to obtain by purchase or otherwise, any patent right or rights, or any interest therein, and dispose of the same; may have all power necessary to prosecute, manage and develop their business as a manufacturing company, manufacturing woods, iron or other metals into buildings, cars, engines, boilers, and all machinery, implements, tools and utensils for agricultural, mineral or mechanical purposes, or any other use whatever; may procure by purchase or otherwise, any and all the aforesaid articles, woods or metals, and use and dispose of the same; may borrow money and create indebtedness for the purposes of its business, in such amount, way and manner as the board of directors may determine, and shall have its principal office and place of business in the city of Titusville, Pennsylvania, but to accommodate and fa-

ilitate its said business, it may establish branch shops, foundaries, et cetera, in any other part of this or other states, and shall have power to make all needful rules, regulations and by-laws necessary for the good government and management of said corporation not repugnant to the constitution and laws of this commonwealth or of the United States.

SECTION 2. The capital stock of said corporation shall consist of three hundred thousand dollars, in shares of fifty dollars each, and power by vote of a majority of shares to increase its capital stock to five hundred thousand dollars, or any sum not exceeding that amount; subscriptions to said stock to be called in in such installments, and at such times, as the board of directors may determine on, and said shares to be transferable on the books of the corporation, in such way as the rules or by-laws direct. Capital stock.

SECTION 3. The books shall be opened for subscription to the stock of said corporation by and at the instance of any three of the corporators, after ten days' written or printed notice to each of said corporators, of the time and place where the same will be opened; the subscriptions of said corporators shall first be received: *Provided*, The same be made within five days from the opening of said books; after one hundred thousand dollars are subscribed to said stock, and ten days' notice of the time and place published in one or more daily newspapers of the city of Titusville, a meeting of the subscribers to said stock may be held for the purpose of electing a president, treasurer, secretary, and a board of not less than five nor more than nine directors; the number of directors to be determined by a majority of the votes of those holding shares, as well as the time for which the officers elected at this meeting shall serve. Subscriptions.
Election of officers.

SECTION 4. The affairs of said corporation shall be managed by a board of directors to consist of not less than five, nor more than nine members, and after the term of office of the officers elected at the first meeting, as provided in section three of this act, shall expire, said board of directors to consist of as many members as the by-laws shall provide; and the qualification, duties, functions and responsibilities of all officers, the period of their election, the time, place and manner of calling and holding all meetings of the corporation, and every act and thing necessary to enable said corporation to prosecute the business with full vigor, ease and dispatch, as by this act contemplated, shall be provided and established in a set of rules, regulations and by-laws, instituted by the board of directors, subject to the adoption and approval of a majority of the shares given at a meeting of the shareholders called for that purpose after five full days' notice of the time, place and object of such meeting being published in one or more daily newspapers printed in the city of Titusville, and said rules, regulations and by-laws may be altered, abolished or amended in like manner as they are established. Directors.
Rules, regulations and by-laws.

SECTION 5. The corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law. Bonus and taxes.

Votes.

Individual liability.

SECTION 6. The stockholders shall be entitled in every meeting of the corporation to as many votes respectively as they hold shares of stock, and may vote in person or by proxy, and shall be individually liable for all debts due mechanics, workmen and laborers employed by said corporation: *Provided*, That unless the same be sued within six months after they fall due, the stockholders shall not be individually liable, and for all other debts, dues and demands whatsoever of said corporation the stockholders shall be individually liable only to the amount remaining unpaid on the shares of stock held by them respectively.

APPROVED—The 15th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1077.

An Act

To amend the charter of the Pittsburg and Baltimore Coal, Coke and Iron Company.

Preamble.

WHEREAS, In pursuance of the provisions of the act of eighteenth July, one thousand eight hundred and sixty-three, entitled "An Act relating to corporations for mechanical, manufacturing, mining and quarrying purposes," and the various supplements thereto, the Pittsburg and Baltimore Coal, Coke and Iron Company of Allegheny county, was by letters patent, dated eighth day of February, Anno Domini one thousand eight hundred and seventy-one, created a corporation of the state of Pennsylvania; now therefore,

Authorized to borrow moneys.

SECTION 1. *Be it enacted, &c.*, That the Pittsburg and Baltimore Coal, Coke and Iron Company of Allegheny county, be and is hereby authorized to borrow moneys from the Germania Savings Bank of Pittsburg, or any other corporation of the commonwealth of Pennsylvania, and pay for the same interest at the rate which the said corporation are now or hereafter may be authorized by law to charge, and secure the same by mortgage on its property.

Loans contracted by, legalized.

SECTION 2. All loans contracted by the said Pittsburg and Baltimore Coal, Coke and Iron Company, with the Germania Savings Bank of Pittsburg, are hereby confirmed and declared to be legal.

APPROVED—The 15th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1078.

A Supplement

To an act, entitled "An Act to incorporate the Bethlehem Trust and Safe Deposit Company," approved one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That the said the Bethlehem Trust and Safe Deposit Company may establish their business office either in the borough of Bethlehem or in the borough of South Bethlehem, Pennsylvania, as a majority of the stockholders of the said corporation may determine.

APPROVED—The 15th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1079.

An Act

To incorporate the North-Western Mining and Exchange Company of Erie, Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That Orange Noble, Charles Corporators. A. Hitchcock, Charles Horton, Alfred Short, Selden Marvin, John Fertig, John W. Hammond, Daniel Smith and A. T. Aldrich, and their successors and assigns, be and they are hereby created a body politic and corporate in law, by the name and title of the North-Western Mining and Exchange Title. Company of Erie, Pennsylvania, and by the said name shall have perpetual succession, and all the privileges and fran- Powers and priv-
ileges chises incident to a corporation, may make and establish a common seal, and alter the same at pleasure, and shall be capable of taking, holding, working and disposing of in fee simple, or for any less estate, such lands, mines and mining rights as they may lawfully acquire in any state or territory of the United States, and in any kingdom or country they may think proper, and they shall have power to secure their indebtedness by bond and mortgage or otherwise, and to locate their principal office at such place as the business of the company may require: *Provided*, That nothing herein con- Proviso. tained shall authorize the said company to hold lands in any of the anthracite coal counties of this state.

SECTION 2. That the said company may carry on the busi- Business. ness of mining, milling, smelting and refining gold, silver, copper, iron, lead and other ores, and coal or other minerals, and may import such ores and minerals from any other state

or country, and deal in the same, and may erect and own all suitable buildings and machinery and devices of every description for working and reducing ores and minerals, and all such real estate and other property as may be necessary to carry on said business.

Capital stock.

SECTION 3. That the capital stock of the said company shall be divided into shares of the par value of one hundred dollars each, and such shares may be issued by the board of directors of the said company in the purchase of any property said board may, from time to time, desire to acquire for the said company, as shall be agreed with the seller or sellers, and each of such shares of stock shall entitle the holder thereof to one vote at all elections and meetings held by the stockholders, and authorized by law or the by-laws of the company: *Provided*, That the shares of the capital stock of the said company to be increased shall not exceed three millions of dollars.

By-laws.

SECTION 4. That the said company shall have power to make by-laws, regulating the issue of stock and the transfer thereof, under the limitation mentioned in the third section of this act, and all such by-laws as may be necessary, from time to time, for the proper and orderly administration of the business and affairs of the company.

Directors.

SECTION 5. That the affairs and business of the said company shall be managed and conducted by a board of directors, not to exceed nine in number, to be elected annually by the stockholders on the first Wednesday in March of each and every year after the year one thousand eight hundred and seventy-two; and that Orange Noble, Charles A. Hitchcock, Charles Horton, Alfred Short, Selden Marvin, John Fertig, John W. Hammond and Daniel Smith shall constitute the first board of directors, and shall continue in office until their successors are chosen; no person shall be eligible to the office of director who does not own, in his own right, at least ten shares of the capital stock; and if any person, so elected, during his term of office shall cease to be the owner of at least ten shares of said capital stock, he shall thereupon cease to be a director, and the board may declare his office vacant and elect another stockholder to fill such vacancy.

APPROVED—The 15th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1080.

A Supplement

To an act to incorporate the Gettysburg Springs Hotel Company, approved twenty-eighth June, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That the amount of the capital stock named in the second section of an act to incorporate the Gettysburg Springs Hotel Company, approved June twenty-eighth, Anno Domini one thousand eight hundred and seventy-one, be and the same is hereby reduced to two thousand shares, making a total of one hundred thousand dollars, and that portion of said section inconsistent herewith is hereby repealed.

APPROVED—The 16th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1081.

A Supplement

To an act incorporating the Stroudsburg Passenger Railway Company, approved February fourteenth, Anno Domini one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted, &c.*, That the Stroudsburg Passenger Railway Company is hereby authorized and empowered to run freight and coal cars over their road by gravity, wherever the grade of said road will permit.

APPROVED—The 16th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1082.

An Act

To incorporate the Agriculturalist Bank of Hulmeville.

SECTION 1. *Be it enacted, &c.*, That Jesse G. Webster, Edward G. Harrison, John Wildman, James Ross Snowden, Joseph Cawly, John R. White, John Johnson, Frederick Staake and S. H. Harrison, together with such other persons as shall become stockholders in the said company, shall be and are created a corporation and body politic by the name

Corporators.

Name.
Powers and priv-
ileges.

and style of the Agriculturalist Bank, and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made capable and able to have, purchase, receive, possess, enjoy and retain to them and their successors such real estate as may be necessary for the transaction of their business, together with such as may be held by said company as security for debts or in satisfaction thereof, and the same to grant, mortgage or demise, also to make, have and use a common seal and the same to alter and renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said company not inconsistent with the constitution and laws of the state or of the United States.

Banking priv-
ileges.

SECTION 3. That it shall be lawful for said company to receive deposits of money from individuals and corporations, and to allow such interest for money so received as may be agreed upon between said company and said depositors, to loan out the same at a legal rate of interest, together with any other moneys they may have, by discounting or purchasing negotiable notes, drafts and bills of exchange, and to issue certificates for said deposits.

May act as finan-
cial agent.

SECTION 3. That it shall be lawful for said company to transact financial business as a natural person, and as such to become and act as treasurer and financial agents of charitable and religious institutions and corporations, and as financial agent of state and city governments and of counties, in the management of their business, at the centre of the counties, and shall give security to such institutions and governments for the faithful performance of the duties required.

May borrow money

SECTION 4. It shall be lawful for said company to borrow money, but not in excess of its capital stock subscribed, and to secure the same by mortgage on its real and personal property or pledge of stock or bonds or otherwise, and on such times as a majority of the directors may deem expedient.

Capital stock

SECTION 5. That the capital stock of said company shall be fifty thousand dollars, to be divided into five hundred shares of one hundred dollars each, which shall be paid in such instalments as the said company by their by-laws direct: *Provided*, That the said company may commence operations as soon as the capital stock shall have been paid in.

Management.

SECTION 6. That the affairs of said company shall be conducted by a president and five directors, to be chosen as hereinafter directed and provided for; that the said president and directors, or a majority of them, shall elect a cashier and such other officers as they may deem necessary, and fix the compensation of the same; and all officers shall give bonds with good security and sureties in such sums as may be required by said board for the faithful performance of their several duties.

Cashier and other
officers.

Office.

SECTION 7. That the said company shall keep their office in some suitable place in Hulmeville, in the county of Bucks. And on the first day of May, after the acceptance of this charter, and on the first Wednesday of May, annually thereafter, after two weeks' previous notice, the stockholders shall

convene at the office of the company, and by ballot elect one person for president and five persons as directors, who shall continue in office for one year; that in the election for officers the said stockholders shall be governed by the general laws of the commonwealth regulating the manner of conducting elections in banks and savings institutions, and the number of votes to which the several stockholders shall be entitled, so far as the same may be applicable: *Provided however*, That no person shall be elected to any office in said company who is not a stockholder therein, and that all vacancies occasioned by death, resignation or refusal to serve, shall be supplied in such manner as said company may by by-laws direct.

Election of president and directors.

Vacancies.

SECTION 8. That the said company shall pay into the treasury of the commonwealth, in four equal annual installments, a bonus of one-half of one per centum from the capital stock paid in, the first payment to be made in one year from the date of the organization of the said corporation, and like bonus upon any increase of capital that may be authorized by the directors and paid in at any time thereafter, and such other taxes as are now or may be hereafter required by law.

Bonus and taxes.

SECTION 9. That the legislature hereby reserves the power to alter, revoke or annul the said corporation whenever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators, and this charter shall continue twenty years.

Reservation.

Limitation.

SECTION 10. Each stockholder shall be individually liable in double the amount of stock held by him to the creditors and depositors of said bank.

Individual liability.

APPROVED—The 19th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1083.

A Further Supplement

To the act to incorporate the Bendersville Railroad Company, approved one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That it shall and may be lawful for the Bendersville Railroad Company to issue any of the shares of the increased capital stock authorized by its charter, and guaranty interest thereon during the construction of its railroad, or otherwise, not exceeding seven per centum per annum upon the par value of said shares, to be paid out of any funds in the treasury of said company; and if any owner or owners of any of the shares of such increased capital stock of said company shall, for the purpose of promoting

the construction of its railroad, place the same in trust, it shall be lawful so to do, and if the equitable interest in such shares so placed in trust as aforesaid, shall ever come into possession of said company by gift or otherwise, it shall be lawful for said company to sell such equitable interest in such shares, and guaranty interest thereon, not exceeding seven per centum per annum upon the par value of such shares, to be paid out of any funds in the treasury of said company.

APPROVED—The 20th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1084.

A further Supplement

To an act, entitled "An Act to incorporate the Ligonier and Latrobe Railroad Company," approved the fifteenth of April, Anno Domini one thousand eight hundred and fifty-three.

May extend road
and make branches

SECTION 1. *Be it enacted, &c.,* That the said company, the name of which has been changed to that of the Ligonier Valley Railroad Company, by the act of fifteenth March, Anno Domini one thousand eight hundred and seventy-one, be and they are hereby authorized to extend the line of said road up Mill creek, in the county of Westmoreland, to the head of said Mill creek, in said county, together with the right to make any branch they may deem necessary, to any coal or ore mines in the townships of Ligonier or Fairfield, in the county aforesaid.

Time of commence-
ment and comple-
tion extended.

SECTION 2. That the time for the commencement of the building of the said road shall be within two years from the approval of this act, and the time of completion thereof shall be four years from the passage of this act.

APPROVED—The 20th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1085.

An Act

To incorporate the Rockhill Iron and Coal Company.

Corporators.

SECTION 1. *Be it enacted, &c.,* That Edward Roberts, Ario Pardee, J. Gillingham Fell, W. A. Ingham, Percival Roberts, G. F. Roberts, Richard Wood, Randolph Wood, George Wood, A. S. Roberts, Edward Wood, Percival P. Dewees, Lewis Royer, M. D., and their associates, be and they are

hereby created a body politic and corporate, in fact and in law, by the name and style of the Rockhill Iron and Coal Company, for the purpose of mining and selling coal, iron ores and other minerals, and smelting or otherwise manufacturing the same and selling the products of their manufacture, and carrying on the business incident thereto, and for such purposes the said company shall or may raise by subscription, by opening the books therefor, or otherwise, a capital stock of one million dollars, to be divided into shares of fifty dollars each, with the privilege of increasing the same, from time to time, to any sum not exceeding two millions of dollars; and it shall be lawful for said company to issue certificates of stock, in whole or in part payment for any real or personal property, purchased or leased by said company for the purpose of their business aforesaid.

SECTION 2. That the said corporation may acquire and hold, in fee simple or otherwise, such real estate in the counties of Huntingdon, Bedford and Fulton, as may be necessary or expedient for the purposes of said corporation, and may sell, mortgage, lease, or otherwise dispose of the same at pleasure, and may borrow money and issue bonds therefor, bearing interest at seven per centum per annum, to an amount not exceeding, at any one time, one-half of their paid up capital stock, and may sue and be sued in all courts of law or equity, and may have and use a common seal, and change and alter the same at pleasure, and may make such by-laws for their regulation and government as they may see proper: *Provided*, The same are not inconsistent with the constitution or laws of the United States or of this state.

SECTION 3. That the affairs of the said corporation shall be managed by a board of seven directors, who shall elect one of their number president; and said directors shall be stockholders in said corporation, and shall hold their office for one year, and until others shall be chosen to fill their places; said directors shall be elected at the annual meeting of the stockholders, to be holden at such time and place as the by-laws of the said corporation shall direct, and until such annual election shall take place, Edward Roberts, J. G. Fell, Percival P. Dewees, Ario Pardee, George Wood, W. A. Ingham and Percival Roberts being stockholders, shall be directors of said company; at all meetings of the board of directors, four shall be a quorum; and in case a vacancy shall occur in the board of directors by reason of death, resignation, or a failure of the stockholders to elect the full number authorized by this act, the remaining directors for the time being, or a majority of them, shall have power to fill such vacancy by the appointment of any stockholder, and in case it shall happen that an election of directors shall not be made upon the day designated for that purpose, the said corporation shall not be deemed to be dissolved, but the stockholders may proceed to hold an election for directors on any other day, ten days' notice being given of the time and place of such election.

SECTION 4. That the said corporation shall have authority to construct and use branch railroads from their ore beds and quarries to their furnaces and mills, and also to con-

How right of way
to be obtained, &c.

struct railroads not more than three miles long from said ore beds, quarries, furnaces and mills, to any railroad belonging to other persons or corporations: *Provided*, That in case any such railroads shall pass over lands belonging to other parties, the right of way shall first be obtained, either by agreement or in the manner provided by the act regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty nine, and the several supplements thereto, and as regards the location and construction of such branch railroads, the said corporation shall be subject to the provisions of the act last mentioned and the several supplements thereto, so far as the same may be applicable.

May subscribe to
stock of certain
company.

SECTION 5. That the said corporation shall have authority to subscribe to the capital stock or bonds of the East Broad Top Railroad and Coal Company, to an amount not exceeding one hundred thousand dollars.

APPROVED—The 21st day of March, A. D. 1872.

JNO. W. GEARY

No. 1086.

A Further Supplement

To an act, entitled "An Act to incorporate the Homer, Cherry Tree and Susquehanna Railroad Company, with power to construct a railroad," approved March twenty-fourth, Anno Domini one thousand eight hundred and sixty-eight, validating the granting of letters patent and extending time for completing the road.

SECTION 1. *Be it enacted, &c.*, That the letters patent issued July eighteenth, one thousand eight hundred and seventy-one, in pursuance of the act to which this is a supplement, to the corporators named in said act, and the subscribers to the stock of the railroad authorized by said act, be and are hereby made as good and valid to all intents and purposes as if the same had been issued within three years from date of the act to which this is a supplement, and the time for completing the said railroad is hereby extended for two years from the expiration of the six years mentioned in the seventh section of said act.

APPROVED—The 21st day of March, A. D. 1872.

JNO. W. GEARY.

No. 1087.

An Act

To incorporate the New Florence and Ligonier Valley Railway Company.

SECTION 1. *Be it enacted, &c.,* That Samuel Pershing, David C. Hoover, James M'Elroy, James Taylor, William Lang, Robert M. Graham, William Weaver, Samuel M'Clean, D. W. C. Dumbauld, William Rogers, George W. Weimer, H. L. Sparks, Elijah Kooser and T. J. Williams, and such other persons as may associate with them, be and are hereby created a body politic and corporate, by the name of the New Florence and Ligonier Valley Railroad Company, with perpetual succession and all other franchises of a corporation.

SECTION 2. The capital stock shall be three hundred thousand dollars, and the directors may augment the same at any time, or from time to time, to such amount as they may deem requisite to carry into effect the full intents and purposes of this act, but the original stockholders shall have the right to a valuable proportion of any increase of the capital stock as aforesaid; the directors may make any portion of the original or of the additional stock a preferred stock, with such preferences and advantages as they may determine; and they may also borrow money at any rate of interest not exceeding seven per centum per annum, and issue bonds therefor, secured by mortgage or mortgages upon the franchises and property of the company, or upon any parts thereof.

SECTION 3. The company is hereby authorized to construct a railroad, with one or more tracks, by such route as the directors may select from some point on the Pennsylvania railroad, at or near Florence, in Westmoreland county, *via* Jones' Mills, in said county, and thence by the nearest and best route to or near Connelsville, in Fayette county, with privilege to connect with the South-West Pennsylvania railroad wherever the directors may find it practicable, and may also consolidate with, lease, or be leased, to said company or any other company, either before or after the commencement or completion of the roads of any of the contracting corporations.

SECTION 4. The original capital stock authorized by this act may be taken by the parties aforesaid at any time, without previous notice; and when ten per centum thereof shall have been subscribed, and five per centum of such subscription paid in, an election for president and directors may be held at such time and place as may be agreed upon by a majority of the subscribers, notice thereof having been waived or accepted by each stockholder, or a printed or written notice mailed to their post office, addressed at least ten days previous to the election; and upon such election the organization of said company shall be complete.

How regulated,
&c.

SECTION 5. In all other respects the company shall be regulated by the act of the nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, and the several eral supplements thereto, and shall be entitled to all the advantages thereof, and of all other general laws of the commonwealth relative to railroads with like privileges if organized thereunder.

APPROVED—The 22d day of March, A D. 1872.

JNO. W. GEARY.

No. 1088.

An Act

To incorporate the Pittsburg and Montana Mining Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Samuel Lewis, James Rees, John D. Thompson, James Smith, Thomas Rees and their associates, be and they are hereby created a body politic by the name and title of the Pittsburg and Montana Mining Company, (of Pittsburg,) and by such name and title shall have existence for twenty years, and shall be capable of suing and being sued, and of receiving, in its corporate name, all kinds of property, real, personal and mixed, and of holding and improving lands in Montana territory, and to obtain therefrom all minerals, ores, and other valuable substances by mining or leasing, and to erect houses, and such other works or machinery as may, in the opinion of the managers, be necessary for the successful prosecution of the work.

Title.

Limitation.

Powers and privileges.

Further powers.

SECTION 3. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the company, and the same to alter and amend, or to repeal at pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and to issue certificates of stock, representing the value of their property, in such form and subject to such regulations as they may deem best, in the working of the mines or other business of the company.

Directors.

SECTION 3. That the corporators of this act shall elect not less than five persons to serve as directors, a majority of whom shall be a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.

Offices.

SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company, wherever the business of the company is located, and to have their principal office in the city of Pittsburg, or such places as they may deem expedient, at which place it shall be lawful

to hold all meetings for the transaction of the business of the company.

APPROVED—The 23d day of March, A. D. 1872.

JNO. W. GEARY.

No. 1089.

An Act

To incorporate the Saint Clair Iron Company.

SECTION 1. *Be it enacted, &c.*, That Benjamin R. Henderson, William Karns, George Beegle, William Sill and E. F. Kerr, their associates, successors and assigns, be and they are hereby created a body corporate and politic, under the name, style and title of the Saint Clair Iron Company, and by said name said corporation and their successors shall have perpetual succession, and enjoy all the privileges and franchises incident to a corporation, and as such shall be and hereby is vested with all the powers, privileges, duties and obligations conferred and imposed upon the Bedford Iron Company, by the act of the legislature, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, and the several supplements and acts relating thereto: *Provided*, That the amount of bonus to be paid by said company on their capital stock, and the individual liability of the stockholders for the debts contracted for mining and manufacturing purposes, shall be regulated by said acts: *And provided further*, That said company shall have authority to hold five thousand acres of land in Bedford county.

Corporators.

Title.

Powers, privileges, &c.

SECTION 2. That it shall be lawful for the directors to change the name and title of the company, and said change shall effect after a certificate thereof shall have been filed in the office of the secretary of the commonwealth, signed by the president and attested by the secretary under the corporate seal of the company.

Directors may change name.

APPROVED—The 23d day of March, A. D. 1872.

JNO. W. GEARY.

No. 1090:

A further Supplement

To an act, entitled "An Act to incorporate the East Broad Top Railroad and Coal Company," and a supplement thereto, approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

Authorized to construct road through grave-yard.

SECTION 1. *Be it enacted, &c.*, That the said East Broad Top Railroad and Coal Company, and any other railroad company in interest with them, shall have the power to construct their road thirty-five feet in width over the ground now occupied as a burial ground and known as the old grave-yard, on the north-west of Shirleysburg, in the county of Huntingdon, at the points designated by the last survey made through said grave-yard, being the western survey, which passes over a part of said burial ground not occupied by any newly made graves.

To construct fence and gates.

SECTION 2. That the said East Broad Top Railroad and Coal Company be required to construct and maintain on both sides of their road, where it passes through said grave-yard, a good fence like that which now encloses said burial ground, and to construct gates in each of these division fences opposite to each other, so that persons may pass with convenience from one part of the grave-yard to the other.

To remove and re-inter dead.

SECTION 3. That said East Broad Top Railroad and Coal Company be required in constructing their road through said grave-yard as herein provided for, to remove the dead who may be buried on the ground required for said road, and re-inter them at the expense of the said company in other parts of said grave-yard, in separate graves, with their respective tombstones properly set to the new graves.

Duty of lot-holders.

SECTION 4. It shall be the duty of the lot holders to appoint a committee out of their number, whose duty it will be to see that the conditions of this act is complied with by the East Broad Top Railroad and Coal Company.

APPROVED—The 23d day of March, A. D. 1872.

JNO. W. GEARY.

No. 1091.

An Act

To incorporate the Raven Run Coal and Iron Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Ralph H. Avery, Charles Mercur, Clarence M. Sanderson, Joseph H. Horton and James M. Ward, and their associates and successors, be and are hereby incorporated into a body corporate and politic, by the

name, style and title of the Raven Run Coal and Iron Com- Title.
pany, and by the same name, style and title, the said com- Privileges.
pany shall have perpetual succession, and be able and capable
in law to sue and be sued, to have a common seal and to en-
joy all the rights, privileges and franchises incident to corpo-
rations.

SECTION 2. That the capital stock of the company shall be Capital stock.
divided into shares of fifty dollars each, and shall consist of
two thousand shares, with the privilege of increasing the same
by consent of a majority of the stockholders, to not exceeding
twenty thousand shares, each of which shares shall be entitled
to one vote at any election or meeting of the company, either Votes.
in person or by proxy of the holders thereof; said shares shall
be transferable by the owner or owners thereof, their execu- Shares transfer-
tors, administrators or attorney duly and lawfully authorized, able.
in a book or books to be provided for that purpose, in such
manner as the directors or by-laws of the company may direct.

SECTION 3. That the subscriptions to the capital stock of Payment of sub-
the said company may be paid in real or personal estate ap- scriptions.
propriate to the business contemplated by this act, at a *bona*
fide cash valuation, to be agreed upon by a majority in the
interest of the stockholders, and the said corporation may
borrow money or create indebtedness in such way and manner
as the board of directors may determine.

SECTION 4. That the said corporation shall be able and capa- Powers.
ble to take, receive and hold in fee simple or any less estate,
in lands and mineral rights, with their appurtenances, not ex-
ceeding in the whole five thousand acres at any one time,
with power to sell, lease or otherwise dispose of the same or
any part thereof; and the said company shall have the right
to prove and open mines, to mine and prepare for market,
coal, iron ore, limestone, fire-clay and other minerals, and to
transport said articles or any of them to market, and to dis-
pose of the same, as well as to do all other such acts and
things and to make such erections and improvements as the
successful prosecution of said operations may seem to demand
or require; and the said company shall have power and au-
thority to construct a railroad from any point on the lands of
said company in Bradford county, to connect with the Bar-
clay railroad at any point, or to connect with the Sullivan
and Erie railroad at or near the borough of Monroe, or to
extend said railroad so as to connect with the Pennsylvania
and New York canal and railroad, at or near the borough of
Towanda, in said county, and may make either, any two or all
of said connections they may at any time deem expedient, sub-
ject to all the provisions and restrictions of the act regulating
railroad companies, approved the nineteenth day of February,
one thousand eight hundred and forty-nine, and the supplé-
ments thereto.

SECTION 5. That any corporation shall have the right to Corporations may
own and hold the capital stock, or to purchase the bonds and hold stock, &c.
other evidence of the indebtedness of said company.

SECTION 6. Provided that the said corporation, in addition Offices.
to its office for the transaction of business, in the said county of

Bradford, may also have an office or offices outside the limits of the state.

Directors.

SECTION 7. That the five persons named in the first section of this act shall be directors of said corporation, until their successors are chosen by the stockholders thereof, and the said stockholders shall annually thereafter, elect five directors, who shall choose from among their number a president; due notice of election, meetings of stockholders shall be given, and the same are to be held at such times and places as the directors or by-laws of the company may fix, but a failure to elect directors shall not work as a nonuser, but those in office shall continue therein until others are duly elected.

Election.

Failure to elect.

By-laws, vacancies, &c.

SECTION 8. That the said company may enact by-laws for its government, and the board of directors shall have power to fill all vacancies occurring therein, to choose a secretary and treasurer, and to fix the amount and times of declaring dividends of the profits or of the assets of said company.

Bonus and taxes.

SECTION 9. That the corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum on the capital stock hereby authorized or hereafter created, in two equal annual instalments, and such other tax as is now or may hereafter be imposed by law on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Individual liability.

Where lands to be located.

SECTION 10. That the lands owned, leased or otherwise held by the company, and operated and used as herein provided shall be limited to the counties of Bradford and Sullivan.

APPROVED—The 23d day of March, A. D. 1872.

JNO. W. GEARY.

No. 1092.

An Act

To confirm the title of certain real estate in the city of Philadelphia.

WHEREAS, John Wagner and wife, by indenture, dated the eighteenth day of September, Anno Domini one thousand eight hundred and forty-eight, recorded at Philadelphia, in deed-book A W M, number eighty-eight, page five hundred and sixty-two, granted and conveyed unto Edward D. Johnson, in fee, a tract of land and meadow ground, situate in Passayunk township, in the county of Philadelphia, contain-

ing twelve acres, more or less, including the hereinafter particularly described tract of five acres, fifty-one perches and sixty-two hundredths of a perch:

And whereas, The said Edward D. Johnson, by indenture of mortgage, dated the twenty-seventh day of December, Anno Domini one thousand eight hundred and forty-eight, recorded in the aforesaid office, in mortgage book A W M, number thirty-one, page forty, granted and conveyed the said premises unto the said John Wagner, in mortgage, to secure the payment of the principal sum of two thousand dollars in five years, with interest:

And whereas, The said Edward D. Johnson and wife, by indenture, dated the tenth day of March, Anno Domini one thousand eight hundred and forty-nine, recorded in the aforesaid office, in deed-book G W C, number twelve, page four hundred and seventy, granted and conveyed unto the Lebanon cemetery of Philadelphia, their successors and assigns, the said premises, to hold the same to them, the Lebanon cemetery of Philadelphia, their successors and assigns, for the use and purpose of a burial ground or cemetery, and to and for no other use or purpose whatsoever, and under and subject to, and in compliance with all the rules, regulations, conditions and restrictions contained and set forth in the act of incorporation of the said the Lebanon cemetery of Philadelphia, and the by-laws now made and adopted, or such as may hereafter be made and adopted by the members or managers of the said cemetery, in pursuance of the said act of incorporation:

And whereas, The said the Lebanon cemetery of Philadelphia, by indenture, dated the fourteenth day of April, Anno Domini one thousand eight hundred and forty-nine, recorded in deed-book G W C, number twelve, page four hundred and seventy-two, whereby, after reciting the deed of March tenth, one thousand eight hundred and forty-nine, from Edward D. Johnson to the Lebanon cemetery of Philadelphia, for the said tract of eleven acres and a half; and that the said tract of land had been laid out in sections, designated to-wit: Sections A, B, C, D, E, F, G, H, I, K, L, M and N, and the said sections sub-divided into smaller lots and numbered for burial lots, as by the plan thereof intended to be recorded appears:

They, the said Lebanon cemetery of Philadelphia, in consideration of one dollar, and for other valuable considerations, granted unto the said Edward D. Johnson, his heirs and assigns, *inter alia*, certain lots or pieces of ground marked in the same plan as in said indenture now being recited, is particularly mentioned to hold to the said Edward D. Johnson, his heirs and assigns forever, for the uses and purposes of a burial ground, or sepulchres only, and to and for no other use or purpose whatsoever, subject to all the rules, regulations, conditions and restrictions contained and set forth in the act of incorporation and by-laws then made and adopted, or which might thereafter be made and adopted by the members or managers of said cemetery:

And whereas, An amicable *scire facias* *sur* above recited mortgage was entered in the district court for the city and

county of Philadelphia to December, Anno Domini one thousand eight hundred and fifty-four, number one thousand three hundred and thirty-eight, by agreement made between William G. Banning, assignee of the said John Wagner, plaintiff, and Edward D. Johnson, defendant, as if *scire facias* had been issued, and had been returned, served and judgment confessed and entered in favor of plaintiff, and damages was assessed on the twelfth January, Anno Domini one thousand eight hundred and fifty-five, at two thousand and thirty-five dollars, and a *levari facias* on said judgment was issued to December term, one thousand eight hundred and fifty-four, number seven hundred and eighty-five :

And whereas, Samuel Allen, sheriff of Philadelphia county, by deed poll, dated the seventeenth day of February, Anno Domini one thousand eight hundred and fifty five, duly acknowledged in open district court, and entered among the records thereof in book E, number two, page two hundred and eighty-nine, granted and conveyed all that certain lot or piece of land and meadow ground situate in the city of Philadelphia, formerly Passayunk township, beginning at a post by the side of Passayunk road, being a corner of land assigned to Mary Lownes ; thence in the line of the same by recent survey north sixteen and a half degrees, west one thousand and nineteen feet eight and three-fourth inches to a post, another corner of the said Mary Lownes' land ; thence in a line of the same and land of John Lownes, north seventy-four and a half degrees, east five hundred and thirty feet five and three-fourths inches to a dead oak ; thence south eighteen and a half degrees, east one hundred and ninety-five feet or thereabouts to the northerly line of a certain passage way, an appurtenance of the adjoining grounds ; thence along the said line south seventy-three and a half degrees, west three hundred and ninety-five feet two and one-fourth inches, more or less, to a point distant one hundred and fifty-two feet from the course first named, and at right angles thereto ; thence on a line parallel to said first named course, south sixteen and a half degrees, east eight hundred and thirty-four feet two and seven-eighths inches, or thereabouts, to the northerly side of the said Passayunk road, and thence along the said road, south eighty and a half degrees, west one hundred and fifty-three feet one and three-fourth inches or thereabouts to the place of beginning, containing five acres, fifty-one perches and sixty-two hundredths of a perch, be the same more or less, seized and sold as the property of the said Edward D. Johnson, in pursuance of said writ of *levari facias* :

And whereas, The said William G. Banning and wife, by indenture, dated the twenty-seventh day of June, Anno Domini one thousand eight hundred and fifty-five, recorded in the aforesaid office, in deed book R D W, number forty-eight, page three hundred and forty-two, granted and coaveyed the said five acres, fifty-one perches and sixty-two hundredths of a perch unto William M'Kennedy in fee :

And whereas, The said Edward D. Johnson and wife, by indenture, dated the twenty-sixth day of May, Anno Domini one thousand eight hundred and forty-nine, recorded in deed

book, G W C, number twenty-two, page two hundred and seventy, granted and conveyed unto Jacob C. White in fee, certain lots marked in said plan, but not forming any part of said five acres, fifty-one perches and sixty-three hundredth perches:

And whereas, The said the Lebanon cemetery of Philadelphia, and Jacob C. White and wife, by indenture, dated the fifth day of November, Anno Domini eighteen hundred and fifty-five, recorded in deed book R D W, number fifty-nine, page five hundred and twenty-five, whereby, after reciting the above recited conveyance, and that the said the Lebanon cemetery of Philadelphia and Jacob C. White, in order to remove all doubts as to the validity of the title of the said William M. Kennedy of and in the said tract of five acres and fifty-one sixty-two one hundredth perches, being the only parties besides the said Edward D. Johnson and William M. Kennedy, who had any estate or interest in the premises at the time of the rendition of the above recited judgment and sale by the sheriff aforesaid, had agreed to release all their estate and interest, if any they have, of and in the said tract of land to the said William M. Kennedy, his heirs and assigns; they the said the Lebanon cemetery of Philadelphia and Jacob C. White and wife, in consideration of the premises and of one dollar unto them paid by the said William M. Kennedy, granted, bargained, sold, realized, released and confirmed unto the said William M. Kennedy, his heirs and assigns, all that aforesaid tract of land, containing five acres and fifty-one sixty-two one hundredth perches, so that neither they the said the Lebanon cemetery of Philadelphia, or their successors, or the said Jacob C. White, or his heirs, or any person or persons whomsoever lawfully claiming, or to claim by, from or under them or any of them, should at any time or times thereafter, have, claim, challenge or demand any estate or interest of, in or to the said tract or piece of ground thereinbefore described, with the appurtenances:

And whereas, By article two, of an association or corporation called the Passayunk and Mifflin Land Association, chartered by the court of common pleas of Philadelphia county, on the third day of March, eighteen hundred and fifty-six, duly recorded in miscellaneous book, T H number one, page six hundred and twenty-eight, it was provided that the object of this corporation shall be the accumulation of a fund by monthly contributions, fines, interests and profits of investments for the purchase of land and real estate, thereby securing to each member of the association one lot of ground for each share of stock held by him, and by article seven of said charter, it was provided as follows: The lands purchased by this association shall be surveyed and laid out into lots; as soon as all the lots shall have been disposed of, they shall be distributed as the corporation may determine, each share of stock to be entitled to one lot of ground as per article one; immediately after the distribution, every member shall receive a deed bearing the seal of the corporation, signed by the president and treasurer, and attested by the secretary for the ground assigned to him:

And whereas, The said Passayunk and Mifflin Land Association by a certain indenture dated the twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-six, recorded in deed book R D W, number sixty-seven, page two hundred and eighty, became seized in fee of the above described tract of land, containing five acres and fifty-one and sixty-two one hundredth perches; and also, of all that certain tract or piece of land and the messuage or tenement thereon erected, situate in the First ward of the city of Philadelphia, beginning at a post standing by the Passayunk road; thence by the same land north sixteen degrees, west sixty perches to a post, and north seventy-four degrees, east one hundred and eighty-one feet one inch to the middle of M'Kean street, as laid out according to the plan of the city of Philadelphia aforesaid, by Thomas Daly, district surveyor; thence north seventy-six degrees and five minutes, west along the middle of the said M'Kean street two hundred and seven feet to the middle of a forty feet wide street called Yale street, (which extends northward parallel with and at the distance of one hundred and thirty-eight feet six inches, westward from the west side of Twentieth street,) and extending thence along the middle of the said Yale street north thirteen degrees fifty-five minutes, east two hundred and sixty-six feet; thence by ground of Henry Yale Smith, south seventy-six degrees five minutes, east one hundred and sixty-six feet six inches to a point in the said Twentieth street; thence in a line of land late of John Lownes, north two degrees, west two hundred and seventy-six feet four inches to a corner of land now or late of John Rouse; thence in a line of the same land south seventy-four degrees, west thirty-five perches and six-tenths of a perch to a post; thence by land now or late of Joshua Pancoast, south thirteen degrees, east eighty-nine perches and a half to a post by the side of the said Passayunk road; thence by the said road north eighty-one degrees, east nineteen perches to the place of beginning, containing by estimation eleven acres and fifty-two perches. And also all that certain lot or piece of ground situate in the First ward of the said city of Philadelphia, described as follows: Beginning at a point in the middle of Twentieth street and M'Kean street aforesaid, thence running south seventy-six degrees and five minutes east along the middle of M'Kean street, about twenty-two feet in a corner on a line of the land first above described; thence along the same north seventy-three and a half degrees, east forty feet to a point; thence by ground now or late of Azaziah H. Simmons, north two and a half degrees, west one hundred and ninety-eight feet, more or less, to a point in the middle of Twentieth street; thence southwardly along the middle of Twentieth street, aforesaid, two hundred and ten feet, more or less, to the place of beginning:

And whereas, A number of shares of stock were sold to sundry persons, and certificates of stock were issued to such shareholders respectively:

And whereas, The lands so as aforesaid purchased by the said association were surveyed and laid out in lots:

And whereas, The number of shares of stock taken were insufficient to make a full distribution of the said lands, but a distribution of a portion of the said lands has been made among the said stockholders, and deeds of conveyance have been made to the said stockholders :

And whereas, The said, the Passayunk and Mifflin Land Association, by indenture, dated the sixth day of April, Anno Domini one thousand eight hundred and sixty-four, and recorded in deed book L R B, number twelve, page four hundred and sixty-two, granted and conveyed unto William M. Reilly, Eliab Ward, Washington J. Jackson, Robert J. Mercer, Henry Hopkins, Henry Yale Smith, William Sharp and Samuel F. Flood, their heirs and assigns in common, in bulk, all the residue of the said lands remaining undisposed of after the conveyance to the said stockholders :

And whereas, The said Eliab Ward hath since departed this life leaving him, surviving his widow, to wit : Martha V. R. Ward and one child to wit : Tilton Ward :

And whereas, Doubts have arisen as to the power and authority of the said the Lebanon cemetery of Philadelphia, to execute and deliver the above recited deed of quit claim executed by them in conjunction with the said Jacob C. White :

And whereas, Doubts have arisen as to the power and authority of the said the Passayunk and Mifflin Land Association to grant and convey in bulk the said residue remaining undisposed of after the above recited distribution and the conveyance to the several stockholders.

SECTION 1. *Be it enacted, &c*, That the title of the said William M. Reilly, Martha V. R. Ward and Tilton Ward, Washington J. Jackson, Robert J. Mercer, Henry Hopkins, Henry Yale Smith, William Sharp and Samuel F. Flood, to the lands so conveyed to them by the deed from the said the Passayunk and Mifflin Land Association, be and the same is hereby ratified and confirmed, and that the said deed shall have the same force and effect to convey title as it would have had if the said the Lebanon cemetery of Philadelphia had, under the provisions their charter, been expressly given full and ample power and authority to execute, acknowledge and deliver the above recited indenture or deed of quit claim to the said William M. Kennedy, his heirs and assigns, and as it would have had if the said the Passayunk and Mifflin Land Association had been expressly given under the provisions of their charter, full and ample power and authority to convey the said residue of said lands remaining after the said distribution made among the stockholders in bulk instead of sub-divided lots, and to execute, acknowledge and deliver the said above recited indenture to the said William M. Reilly, Eliab Ward, Washington J. Jackson, Robert J. Mercer, Henry Hopkins, Henry Yale Smith, William Sharp and Samuel F. Flood, and no other or greater force and effect.

APPROVED—The 26th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1093.

An Act

To incorporate the Somerset County Bank.

Corporators.	SECTION 1. <i>Be it enacted, &c.,</i> That William J. Baer, George W. Benford, John Hicks, H. L. Baer, William B. Coffroth, Alexander Stutzman, Peter Hefley, A. H. Coffroth, William H. Sanner, Edward Scull, Isaac Hughes, John M. Halderbam, Dr. Henry Brubaker, Charles F. Rhodes, Josiah Zimmerman and A. J. Colburn, and their successors, shall be
Name.	and they are hereby created a body politic and corporate, by the name and style of the Somerset County Bank, to be lo-
Location.	cated in the town of Somerset, Somerset county, and state of
Powers and priv- ileges.	Pennsylvania, and by that name shall have perpetual succe- sion, and may sue and be sued, plead and be impleaded in any court whatsoever, and may have a common seal, and may re- new and alter the same, and may have the right to buy, own and hold real estate, and improve or dispose of it at pleasure.
Capital stock.	SECTION 2. The capital stock of said company shall consist of one thousand shares, of the value of fifty dollars each, with the privilege of increasing the same, by a vote of the stockholders, to two thousand shares of the like value per share; and when the capital stock is so increased the stock- holders shall the right to take the shares authorized by such increase at such price as the board of directors may name: <i>Provided,</i> That if such shares of new stock are not taken by the stockholders, within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of new stock in such manner as they may deem best.
Subscriptions.	SECTION 3. The corporators or a majority of them shall have power to open books for subscription to the capital stock, at such times and places as they may deem expedient; and when two hundred and fifty shares or more of said stock shall have been subscribed and fifty per centum thereon paid in, the shareholders may elect five directors, one of whom shall be president, to serve until the next annual election or until their successors shall have been duly elected and qualified.
Election of direc- tors.	
Banking priv- ileges.	SECTION 4. The said bank shall and may have power, and may borrow and lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper and other written evidences of debt; and shall have the right to hold in trust as collateral security for loans or advances or discounts, estates, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, states, individuals or corporations, and to collect and adjust the same, and to dispose thereof, for the benefit of the said bank, upon the payment of the debts as security for which the same may be held in any market of the world.

SECTION 5. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as treasurer and financial agent of charitable and religious institutions and of corporations, and as financial agent of state and city governments, and of counties and boroughs in the management of their business, and shall give security to such institutions, corporate and governments for the faithful performance of the duties required.

May act as financial agent.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other sufficient securities, at such rates of interest as may be agreed upon by the said bank and the borrowers.

Further banking privileges.

SECTION 7. The board of directors shall have power to declare and pay dividends out of the earnings of the company to the stockholders, at such times and in such amounts as to them may seem proper, and said company shall pay to the state treasurer a tax on such dividends as is or may be imposed by law.

Dividends.

Tax.

SECTION 8. That the said bank shall pay into the treasury of the commonwealth in four equal annual instalments a bonus of one-half per cent. upon the capital stock paid in, the first payment to be made in one year from the date of the organization of the bank, and a like bonus upon any increase of capital that may be authorized by the directors and paid in at any time thereafter.

Bonus.

SECTION 9. The annual election for directors shall be on the second Monday of January of each year, unless changed by the by-laws of the company. The directors shall elect one of their number president, and shall have power to elect all other officers or agents they may deem necessary for conducting the business of the company, and fix the compensation for all officers, clerks, agents and employees; and all officers, agents or clerks shall give bonds with sufficient securities in such sum as may be required by said board for the faithful performance of their duties.

Annual election.

Officers and agents.

SECTION 10. Stockholders shall be entitled to one vote for each share of stock, and may vote in person or by proxy, but said proxy must be dated within six months of and two weeks prior to the election for which it was given; of the time and place of such election, two weeks' notice shall be given in one of the county papers.

Votes.

Notice of elections.

SECTION 11. That no person shall be elected a director who is not the holder of at least five shares of stock in said company, and that all vacancies caused by death or resignation, refusal to serve or transfer of stock shall be supplied as provided in the by-laws.

Eligibility as director.

Vacancies.

SECTION 12. That said bank not being a bank of issue shall not be subject to the restrictions provided in section seventeen of an act, entitled "An Act regulating banks," approved the sixteenth of April, Anno Domini one thousand eight hundred and fifty, and section first of an act, entitled "A further

Not subject to certain restrictions.

supplement to an act regulating banks," approved April twenty-second, one thousand eight hundred and fifty-four.

By-laws.

SECTION 13. The board of directors shall have power to make all by-laws necessary for properly conducting the business of the bank, including the election of officers not inconsistent with the laws of the state or the United States, and shall have power to require payment of any amount remaining unpaid on the stock of said bank, at such time and in such proportion as they may think proper, and after thirty days' notice under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments.

Payment of amounts remaining unpaid on stock

Payment of deposits, &c., to minors and married women.

SECTION 14. That the said bank shall have power to pay on application, the check, receipt or order of any minor or married woman, such money, or any part thereof, as he or she may have deposited in his or her name, or to his or credit, or any interest or dividend accruing thereon, without the assent or approval of the parent or guardian of such minor, or the husband of such married woman; the creditors of the husband of such married woman or minor may not attach or interfere with the deposits of such married woman or minor, or with any interest or dividend due thereon.

Individual liability.

SECTION 15. That the stockholders of said bank shall be liable individually in double the amount of stock held by them.

Limitation.
Reservation.

SECTION 16. This charter shall continue for twenty years, and the legislature reserves the right to alter, annul or revoke this charter at any time the interest of the commonwealth may require it: *Provided however*, That no injustice shall be done to the incorporators.

APPROVED—The 26th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1094.

A Further Supplement

To an act, entitled "An Act to incorporate the Steuben Iron Company of Centre county."

SECTION 1. *Be it enacted, &c.*, That the Steuben Iron Company of Centre county shall have and exercise all of the rights, powers and privileges of every kind granted by the several acts referred to in the first section of the act, entitled "An Act to incorporate the Steuben Iron Company of Centre county," approved the twenty-seventh (27) day of May, Anno Domini one thousand eight hundred and seventy-one, without any exception or qualification whatever.

APPROVED—The 27th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1095.

An Act

To incorporate the Watsonstown Bank, to be located at Watsonstown,
in the county of Northumberland.

SECTION 1. *Be it enacted, &c.,* That R. G. Cook, George Burns, John H. Goodman, Samuel M. Miller, Samuel Caldwell, Joseph Hollopeter, Isaac Vincent, John Bly, A. J. Guffy, John M'Farland, A. T. Goodman, William F. Kirk, E. H. Russell, Philip Shay, Levi Lynn, Robert Russell, and the Hon. Joseph Nicely, their proxies, assigns, associates and successors, shall be and they are hereby created a body politic and corporate, by the name, style and title of the Watsonstown Bank, to be located at Watsonstown, in the county of Northumberland, and by that name shall have perpetual succession; may sue and be sued, plead and be impleaded in any court whatever; may have a common seal; may renew or alter the same, and may have the right to own and hold real estate requisite for the transaction of their business, or in security for or satisfaction of debts, and improve or dispose of the same for the benefit of said bank.

Corporators.

Title.

Powers and privileges.

SECTION 2. The capital stock of said bank shall be thirty thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing the same, by a vote of the directors to two hundred thousand dollars of like par value per share; the stockholders shall have the right to take such increased shares at such price as the board of directors may name, and if not taken within ten days after receiving notice of such increase the directors may dispose of the same as they may deem best.

Capital stock.

SECTION 3. The corporators or a majority of them shall have power to open books for subscriptions to the capital stock at such times and places as they may deem expedient, and when thirty thousand dollars shall have been subscribed, and twenty thousand dollars of the capital paid in, the stockholders may elect eight directors to serve until the next annual election or until their successors shall have been duly elected and qualified.

Subscriptions.

Election of directors.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory notes or other negotiable paper and the legal rate of interest may be received in advance, and shall have the right to hold in trust or as collateral security for loans or advances or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same and to dispose thereof, for the benefit of the said bank or for the payment of the debts as security for which the same may be held, in any market of the world, and

Banking privileges.

for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

Further banking
privileges.

SECTION 5. The bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks or bonds of all companies, states and of the United States, or other good and sufficient securities as may be agreed upon by said bank and the borrowers.

May act as finan-
cial agent.

SECTION 6. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and a financial agent of charitable, literary, manufacturing, financial and religious institutions and other corporations, and shall give security for faithful performance if required.

By-laws.

SECTION 7. The board of directors shall make all by-laws necessary for conducting the business of the bank not inconsistent with the laws of the state or of the United States, and shall have power to require the payment of the unpaid stock of said bank at such time and in such proportions as they may think proper, and after thirty days' notice, under penalty in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon, and shall have power to fill all vacancies arising from death, resignation or inability to serve, to declare and pay dividends out of the earnings of the bank to the stockholders, at such times and in such amounts as to them may seem proper, and to elect all officers or agents they may deem necessary for conducting the business of the bank, including president.

Forfeiture of stock
for non-payment.

Vacancies.

Dividends.

Officers and agents

Annual election
for directors.

SECTION 8. The annual election for directors shall be on the last Monday of January of each year, unless changed by the by-laws of the bank; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by written proxy; said proxy must be dated within three months of and five days prior to the election for which the proxy was given; twenty days' notice by publication in one or more newspapers shall be given of the time and place when such election will be held, and the election shall be conducted according to the by-laws.

Bonus and taxes.

SECTION 9. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law, and this charter shall continue for twenty-five years.

Limitation.

Individual lia-
bility.

SECTION 10. This charter shall continue for twenty years, and the stockholders are individually liable in double the amount of stock held by them.

Reservation.

SECTION 11. The legislature reserves the right to alter, amend or revoke this charter at any time the interest of the commonwealth may require it: *Provided however*, That no injustice be done to the incorporators.

APPROVED—The 27th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1096.

A Supplement

To an act to incorporate the Highland Improvement Company, approved the second day of June, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That the name of the said corporation is hereby changed to the Highland Improvement and Railroad Company, and that the said corporation under the name of the Highland Improvement and Railroad Company, shall have all the rights, privileges and franchises granted by the act to which this is a supplement, to the Highland Improvement Company. Name changed.

SECTION 2. That the said company be and they are hereby authorized and empowered, at any time hereafter, to survey, locate and construct one or more railroads from their premises, to connect with other portions of their premises, or with any railroad which is now or may hereafter be constructed, or to any streams of water which have been or may hereafter be declared public highways, neither of which railroads shall exceed twenty miles in length; and said company, in constructing such railroads, shall make compensation to the owners of the premises through which the same shall pass, in accordance with the provisions of an act regulating railroads, approved February nineteenth, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided*, The same shall be confined to the counties of Warren, M'Kean, Elk and Forest. Authorized to construct railroad.

SECTION 3. That the authority granted to the said Highland Improvement Company, in the act to which this is a supplement, is hereby extended to the said Highland Improvement and Railroad Company, to receive, use, hold, grant and convey property, real, personal and mixed, in the counties of Elk, Forest and Warren. Authority to receive, hold, use and convey lands.

APPROVED—The 28th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1097.

An Act

To incorporate the Mount Washington Land and Improvement Company.

SECTION 1. *Be it enacted, &c.*, That T. Brent Swearingen, W. B. Lupton, I. C. Mattern, Dr. Joseph A. Philips, Dr. S. N. Beaham, William B. Buettler and Joseph Philips, and their Corporators.

Title.

Location.

Powers and privileges.

associates, successors and assigns, be and they are hereby created a body politic and corporate, to be known by the name, style and title of the Mount Washington Land and Improvement Company, to be located in the county of Allegheny, and by that name and title shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, may contract and be contracted with, and adopt and use a common seal, and the same may change at pleasure, may make and adopt all laws and regulations necessary for the direction and government of the said association in accordance with the constitution of the United States and of the state of Pennsylvania, and thus act and alter, add to and amend the same, from time to time, as they may deem fit, and generally may have and use all the privileges, rights and powers, and to do things incident to a corporation and necessary to carry out the objects and purposes of the said association.

Further powers.

SECTION 2. That the corporation hereby created shall be capable of purchasing, acquiring, receiving, holding and owning, by any lawful means, property, real, personal and mixed, and the same may use, hold, work, improve, lease, grant, sell, mortgage, transfer and convey, or otherwise dispose of in its corporate name, either with or without improvements, shall have power to contract with any person or persons, firm, corporation or any other party however formed, existing or that may hereafter exist, for the constructing houses, buildings and such other work and improvements as may be deemed expedient and proper by them on the real estate of the said corporation, on such terms and conditions as may be agreed upon between the parties respectively; shall have power and authority to hold and own securities of any form, either as collateral or otherwise, and dispose of the same at pleasure; shall have power to mine and transport to market, or lease the same to other parties to be mined and transported to market, coal and other minerals which may be in or under any of the lands of the said corporation, and to erect such machinery and fixtures as may be requisite therefor, and shall have power to dispose of all the products and profits of the same in such markets and places and upon such terms and at such prices as to them shall seem advisable and as may be agreed upon between the contracting parties: *Provided*, That the said company shall at no time hold more than two thousand acres of land in this commonwealth.

Capital stock.

SECTION 3. That the capital stock of the said corporation shall consist of six hundred (600) shares of the value of fifty dollars each, being thirty thousand dollars, (\$30,000,) and a majority of the stockholders of the said corporation may, from time to time, at any annual or special meeting, increase the capital stock of said corporation to such amount or amounts as may be deemed proper, and the corporators herein named or the association, after it be properly organized, may dispose of said shares and issue certificates therefor to the subscribers, assessing such payment or payments upon the same as they may deem necessary, and the said shares of stock, after the par value thereof shall have been assessed and paid

in, and the holders thereof shall be exempt from any further or future assessment; and it shall be lawful for the said corporation to issue stocks to the amount of the value of any property, to be purchased or acquired, real, personal or mixed, in payment therefor, and the stock so issued shall be declared and taken, to be full paid stock, and not liable to any further costs; the said corporation may commence business when fifteen thousand dollars of the capital stock has been subscribed, and five per centum thereon paid in cash or credited by an exchange of property therefor; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to a *pro rata* share of such increase upon the payment of the par value of the same.

May issue stock in payment of property.

When business may be commenced.

Right of stockholders in case of increase of capital stock.

SECTION 4. That the corporators herein named, their associates and assigns, shall select from their number, five or more persons to serve as directors of the association, until directors shall be chosen in accordance with the by-laws of the association, who shall have power to select a president, vice president, a secretary and treasurer from their number, and such other officers, agents and employees as may be necessary to carry out the objects of the association; a failure to elect officers at the time or times fixed shall not work a forfeiture of the franchises granted, or a dissolution of the association.

Election of directors.

President, secretary, &c.

SECTION 5. The directors of the said corporation, when it shall have been organized, may and they are hereby authorized and empowered to have and to exercise in the name and in behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them.

Power and authority of directors.

SECTION 6. The office of said association shall be in the city of Pittsburg; and all of the directors of said corporation shall be citizens of the state of Pennsylvania and reside therein, shall keep an accurate record of their proceedings, which with the by-laws shall at all times be accessible to all persons transacting business with them.

Office.

Directors to be citizens, &c.

SECTION 7. The board of directors shall have power to require payment of the amount remaining unpaid on the stock of said corporation at such times and in such proportions as they shall think proper, the said assessments to be made as the by-laws of said corporation shall direct.

Payment of amounts remaining unpaid on stock.

SECTION 8. The shares of the capital stock at any time owned by any individual stockholder shall be transferable on the books of the company only, according to such rules as may be adopted by the president and directors.

How shares to be transferable.

SECTION 9. The directors shall be elected annually by the stockholders on the first Tuesday of January; all elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him, but no person shall be eligible as director who is not a stockholder to the amount of ten shares; at the annual or special meetings a quorum shall consist of stockholders owning at least one-half of the capital stock.

Annual election.

Votes.
Eligibility as director.

Quorum.

Election, notice of,
and how conducted

SECTION 10. Ten days' notice shall be given by publication in two newspapers published in the city of Pittsburg of the time and place of the annual election, which election shall be conducted by three stockholders, one of whom shall act as judge and the other two as inspectors.

Individual lia-
bility.

SECTION 11. The stockholders and directors of the association shall be individually liable for all debts contracted for labor performed or materials furnished only to the amount remaining unpaid on the stock held by them respectively.

Letters patent.

SECTION 12. The governor, on the organization of the said company, shall issue letters patent to the aforesaid corporation or their successors.

Prohibition.

SECTION 13. Nothing herein granted shall be construed into the power of discounting or of issuing their own notes as a bank currency or circulation: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes.

APPROVED—The 28th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1098.

An Act

To incorporate the Fidelity Land and Improvement Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Matthew Baird, J. Edward Farnum, Dennis B. Kelly, James Rhoads, Edward Hoops, Henry K. Smith, Thomas H. Hall, Joseph W. Hawley, George Callaghan, Samuel J. Sharpless and Lorenzo Beck, their associates and their successors, be and they are hereby created a body corporate and politic, by the name and style and title of the Fidelity Land and Improvement Company, and by that name and title they shall be known, and have perpetual succession, and be capable of suing and being sued, impleading and being impleaded, and of receiving, using, holding, granting, conveying property, real, personal and mixed, and of improving the same by the erection of houses and such other works and improvements as may be deemed expedient and proper by them, and also to lease, let and dispose of any part of their property, real, personal or mixed, with or without improvements, and all of the products and profits of the same, in such markets and places, and at such prices and on such terms as to them shall seem advisable: *Provided*, That the said company shall at no time hold more than three thousand acres of land in this commonwealth, and its operations shall be confined to Delaware county.

Title.

Powers and privi-
leges.

Proviso.

SECTION 2. That the capital stock of said company shall be fifty thousand dollars, with the privilege of increasing the same from time to time to five hundred thousand dollars, the shares of which shall not be less than five dollars each, which capital stock of shares may be appropriated to the purposes set forth in section one of this act, or be sold at such price and on such terms as the said company may determine, and shall not be subject to assessments or further calls.

Capital stock.

SECTION 3. That the said corporation shall have the right to fix the number of directors by their by-laws, a majority of whom shall be a quorum, one of whom shall be president, and they shall hold their office till their successors shall be duly elected; the said corporation shall be and they are hereby authorized to make all such by-laws to enable them to carry on the business of the same, as they may deem proper, and to alter and amend the same at pleasure, but no by-law shall be made contravening the constitution of this commonwealth or of the United States.

Directors.

By-laws.

SECTION 4. That the said corporation may adopt a corporate seal and alter the same, may make and issue capital stock, and sell the same, and issue certificates therefor, representing value in their property, in such form and subject to such regulations and interests as they may from time to time prescribe, and may regulate and prescribe in what form and manner their contracts and obligations shall be made and executed.

Further privileges.

SECTION 5. That the governor, on the organization of the said company, shall issue letters patent to the aforesaid corporators or their successors.

Letters patent.

SECTION 6. That nothing herein granted shall be construed into the power of discounting or of issuing their own notes as a bank currency or circulation: *Provided*, That the said company shall pay into the treasury of commonwealth, such bonus and taxes as are now or may hereafter be required by law.

Prohibition.

Bonus and taxes.

APPROVED—The 28th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1099.

An Act

Supplementary to an act to incorporate the Clarion River Navigation Company, approved the twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted, &c.*, That the election of officers for the Clarion River Navigation Company, held at Brock-

Election held on
21st June, 1871, in-
galized.

wayville, on the twenty-second day of June, Anno Domini one thousand eight hundred and seventy-one, is hereby declared and made legal and valid, and the president and managers then and there elected shall be deemed and held to represent said company, with all the powers and authority vested in such officers by the act incorporating said company, approved the twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven, and all acts heretofore by them done as such officers, are hereby legalized and made valid.

Appointment of
president legal-
ized.

Managers to fill
vacancies.

Forfeiture of stock
for non-payment of
instalments.

SECTION 2. The appointment of George D. Messenger, as president of said company by the managers, to fill the vacancy caused by the resignation of J. S. Hyde, is hereby legalized, and hereafter it shall be the duty of the managers, or a majority of them, to fill by their appointment, any vacancy in the office of president or of manager, which shall have been caused by death or resignation.

SECTION 3. If any stockholder shall neglect or refuse to pay any instalment of his stock subscribed, for the space of thirty days after actual notice of a resolution of the board of managers requiring the payment thereof, it shall be lawful for the board of managers, by resolution, to forfeit the whole of said stockholders' stock, together with any accrued and unpaid dividends to the benefit of the company: *Provided*, Such forfeiture shall not be declared until after ten days' further notice to the stockholders to appear and show cause why it should not be declared.

Re-imbursement of
stockholders and
reduction of tolls,
relative to.

SECTION 4. Whenever said company shall have collected tolls sufficient to re-imburse the stockholders the full amount expended in improvements and for other proper purposes in furtherance of the objects of said corporation, together with interest thereon, they shall reduce the tolls to such rates and amount as shall be sufficient only to provide for the maintenance and repair of said improvements and the operation of the same; and it shall be the duty of the court of common pleas of Jefferson county, upon the petition of any five persons interested, to appoint an auditor to examine and report if the tolls collected have been sufficient to re-imburse the stockholders as aforesaid: *Provided*, An auditor shall not be appointed oftener than once in each year.

Statement of re-
ceipts and expen-
ditures to be filed.

SECTION 5. It shall be the duty of the board of managers of said company to file in the court of common pleas of each of the counties of Elk, Jefferson, Forest and Clarion, in each year, a statement of the receipts and expenditures of said corporation during the preceding year.

APPROVED—The 28th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1100.

An Act

To incorporate the Union Narrow Gauge Railroad Company.

SECTION 1. *Be it enacted, &c.*, That Daniel R. Anderson, Tobias Boor, William W. Laney, Adam Zembower, Benjamin F. Bruner, Samuel Whip, Solomon Dicken, Thomas Fisher, Peter Smouse, Jacob Anderson, Samuel L. Russell, William Hartley, William M. Hall, Benjamin F. Myers, John R. Jordan, John S. Bowers, John M. Reynolds, Joshua J. Shoemaker, J. Ross Anderson, W. P. Schell, Jr., and E. F. Kerr, or any three of them, be and they are hereby appointed commissioners to open books and receive subscriptions and organize a company by the name, style and title of Union Narrow Gauge Railroad Company, with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

Commissioners.

Title.

Subject to.

SECTION 2. That the capital stock of said company shall consist of two (2) thousand shares of the value of fifty dollars each, and the company may, from time to time, by a vote of the stockholders at a meeting called for that purpose increase their capital stock to so much as in their opinion may be necessary to complete and equip the said road and carry out the true intent and meaning of this act.

Capital stock.

SECTION 3. That the said company shall have the right to build and construct a railroad of such gauge or gauges, not exceeding forty-two inches, as the directors of said company may determine, from some point at or near the borough of Bedford, southward to any of the iron ore lands or mines in Cumberland valley, and to construct branches and to connect the main stem and branches, or either, with any other railroad already built or hereafter constructed by any company incorporated or to be incorporated under authority of this or any adjoining state, and may also consolidate with, lease or be leased by any such company, either before or after the commencement or completion of the roads of any of the contracting corporations.

Authorized to construct railroad.

May construct branches, connect with other roads, &c.

SECTION 4. That the said company shall have the right to issue their bonds to an amount not exceeding ten thousand dollars per mile of said railroad, at a rate of interest not exceeding eight per centum per annum, and secure the payment of said bonds by mortgage of the corporate rights, franchises and property, or any part thereof, and the directors of said company are authorized to negotiate said bonds at such price as they may determine.

May issue bonds.

SECTION 5. That in all cases where said company and the owners of land and materials cannot agree upon the amount of damages claimed, either for land or materials, the said com-

Proceedings in cases of disagreement as to damages.

pany may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be, that the company will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties, or assessed according to law: *Provided*, In case the party or parties claiming damages refuse to accept the bond or bonds tendered by said company, the said company may in such cases present their bond or bonds to the court of common pleas of the proper county, or any one of the judges thereof, and if said court, or any one of the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of said court for the benefit of those interested, whereupon the said company may enter upon or take possession of such land or materials.

Cases where owners of lands and materials are minors &c.

SECTION 6. That in all cases in which the owners of lands and materials are minors, lunatics or habitual drunkards, it shall and may be lawful for the guardian or committee of such owners and the said company amicably to adjust the amount of damages to be paid, if they can agree, and on payment of the amount it shall be lawful for such guardians or committees to release said company from all claims therefor, and to execute all necessary papers in the premises; in case the said parties cannot agree, the said company may proceed as is provided for in the fifth section of this act.

Directors.

SECTION 7. That the number of directors shall be seven, and the president and four directors of said company shall constitute a quorum to do business.

Tolls.

SECTION 8. That the said company may from time to time establish, charge, demand and receive such rates of toll or other compensation for the use of such road and of their motive power, and for the conveyance of passengers, the transportation of merchandise and commodities, and for the cars and other vehicles conveying the same, or otherwise passing over or on the said railroad, as the directors may determine, not exceeding rates allowed by general railroad law of one thousand eight hundred and forty-nine.

Commencement and completion.

SECTION 9. That the said railroad shall be commenced within two years, and shall be completed within six years from the date of this act: *Provided*, That the right to construct branches shall not terminate with such completion, but shall continue a corporate power of such corporation.

Subscriptions valid without payment of \$5 on each share.

SECTION 10. That all subscriptions which may be made to the capital stock of said company shall be valid, notwithstanding the party making the same shall not at the time thereof pay five dollars on each and every share subscribed, and that whenever any section or sections of three miles or more of said railroad shall be completed, the said company may use, occupy and enjoy the same as fully and in the same manner as if the whole of said road was completed.

May use sections when completed.

May receive real estate in payment of subscriptions.

SECTION 11. That the said company are hereby authorized to take, receive and hold such real estate in fee simple or lease, or otherwise, in payment of subscriptions, to the stock of said company upon such terms as may be agreed upon by the said company, and the individual or individuals offering

the same, and the said company may sell and convey such real estate and leases for the purpose of defraying the cost of constructing and equipping said railroad, and if not so disposed of the said company may sell such real estate and leases for the use of the company within ten years from the commencement of said road: *Provided*, That it shall be lawful for said company to change the name, style and title thereof by filing a certificate of such change in the office of the secretary of the commonwealth, signed by the president under the corporate seal of the company: *Provided*, That the provisions of this act shall only apply to the counties of Bedford, Fulton and Somerset.

Change name.

Where act to apply.

APPROVED—The 29th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1101.

An Act

To incorporate the Mechanics' Mutual Cottage Company.

WHEREAS, The advantages of building associations has developed the fact that through their agency many of our citizens have become possessed of homes they would not have done, except through that agency:

Preamble.

And whereas, It is desirable for mechanics, and others, to associate together for the development of their business and the improvement of their lands; therefore,

SECTION 1. *Be it enacted, &c.*, That Samuel H. Collorn, John Nolen, Joseph H. Rastall, William V. Mackie, Wm. F. Smith, James Sharp, Alfred Teale, Chalkley Albertson, and Geo. W. M'Cullough, and all associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Mechanics' Mutual Cottage Company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, in fee simple, or upon ground rents, such real estate, and also such personal estate as may by them be deemed necessary and proper for their business, with full power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.

Corporators.

Powers and privileges.

SECTION 2. That the object and purpose of said Mechanics' Mutual Cottage Company shall be to erect and maintain cottages and other buildings, with all things necessary for the use thereof, to be leased, rented, or disposed of in such manner and upon such terms and conditions as the managers

Object and purpose.

Power to hold
property, &c.

may determine; the managers shall have power to buy and hold lands and real or personal estate, in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, not exceeding in each two hundred acres, at any one time, to make anything they may deem proper and necessary in the prosecution of their business, to hold all such personal and other property as may be necessary or convenient for the prosecution of their business, and to buy, sell, or mortgage, and dispose of the property, real and personal, of the said company.

Capital stock.

SECTION 3. That the capital stock of said company shall be one thousand shares, of twenty-five dollars each, with privilege to increase the same from time to time, as the stockholders shall determine.

Government and
control.

SECTION 4. That the government and control of the company shall be vested in and the corporate powers of the said company shall be exercised by a board of thirteen managers, who shall be elected by ballot from among the stockholders; they shall have the general and entire control of the affairs and interests of the company, and until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of said corporation, and shall have power and authority as such.

Meeting of stock-
holders.

SECTION 5. A general meeting of the stockholders shall be held annually on the second Monday in July.

Payment of sub-
scriptions.

SECTION 6. The subscribers to the capital stock shall be privileged to pay in their subscriptions in such material or lands as may be agreed upon by the managers of the said company, and when the capital stock shall all be subscribed, and ten dollars per share paid thereon, the said company shall be privileged to commence business.

When business
may be com-
menced.

May borrow money
and create indebt-
ness.

SECTION 7. That the said company may borrow money, and create indebtedness, in such way and manner as the board of managers may deem necessary for the prosecution and management of their business, and issue the securities of said company therefor, in such form and manner as they may deem proper, at a rate of interest not exceeding ten per centum, and dispose of such securities in such manner and at such places as the managers may direct.

Bonus.

SECTION 8. That said company shall pay into the treasury of the state such bonus as may be required by law upon the capital stock, and upon all increase, in four equal annual payments, the first payment January first, one thousand eight hundred and seventy-three; and the legislature reserves to itself the right to amend, alter or repeal this act at any time, in such manner, however, as shall do no injustice to the stockholders.

Reservation.

APPROVED—The 29th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1102.

An Act

To incorporate the E. Tracy & Son Manufacturing Company.

SECTION 1. *Be it enacted, &c.*, That Eliashib Tracy, Miles Tracy, Jacob F. Miles, E. B. Kimber and William F. Truin, and their associates and successors, be and they are hereby incorporated into a company to be called the E. Tracy & Son Manufacturing Company, and by that name, style and title shall have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and be able to sue and be sued, and be impleaded in all courts of record, and to purchase, have, hold, receive, use and enjoy goods, chattels and estates, real and personal, and the same from time to time, sell, exchange, mortgage, grant, alien or otherwise convey and dispose of, and also make and have a common seal, and renew or alter the same at pleasure, and generally to do all and singular the matter and things which to the said corporation shall lawfully appertain to do for the well-being thereof, not being contrary to the constitution and laws of the United States or of this commonwealth: *Provided*, That nothing herein contained shall be construed as in any way to give or confer any banking privileges whatever: *Provided further*, That the office of said company shall be located in the city of Philadelphia.

SECTION 2. That the capital stock of the said company shall consist of two thousand shares of twenty-five dollars each, with the privilege and power to increase the same by a vote of the stockholders, at an annual or special meeting, to such an amount or amounts, (not exceeding three hundred thousand dollars,) as in their opinion may be necessary to erect suitable buildings and machinery or to carry on the business of the company; and the said company may make all needful rules, regulations and by-laws for the management of the business of the corporation, and upon filling a duly provided certificate of the president and directors of said company in the office of the secretary of the commonwealth may change the name of said corporation; the affairs of the company shall be managed by a board of directors, who shall choose one of their number president, and a secretary and treasurer, who may or may not be members of the board; the by-laws shall fix the time for holding the annual meetings and the number of directors who shall be elected annually, at a meeting of the stockholders held for that purpose, and at such meetings and elections, each share of stock shall entitle the holder to one vote, which may be cast either in person or by proxy; the directors also may appoint such other officers and agents from time to time, as the business of the company may require.

Corporators.

Name.

Powers and privileges.

Office.

Capital stock.

Rules, regulations and by-laws.

May change name.

Management.

Annual meetings, &c.

Votes.

Officers and Agents

Business.

SECTION 3. The business of the said company shall be confined to the manufacture, purchase and sale of watches, jewelry, silverware and fancy goods, and bullion, in any or all of its branches, and the management of such real estate as may be necessary for the use of the said company; and the said company shall have power to issue bonds for the purchase or completion of improvements, at a rate of interest not exceeding seven per centum per annum, and not exceeding in amount of principal the amount of the capital stock of the said company, and in sums of not less than five hundred dollars each, with or without coupons attached, and to dispose of the same at such prices as they may deem proper, and secure the same by mortgage on the real and personal property and franchises of the corporation.

When certificates of stock may be issued.

SECTION 4. No certificate of stock shall be issued by said company until the full amount of the par value of the same shall be paid in cash, or in real estate or personal property; and the said shares of stock, and the holders thereof, shall be exempt from any future payments or liability; and the directors may declare dividends annually, or oftener, as the profits of the company shall warrant.

Dividends.

APPROVED—The 29th day of March, A. D. 1872.

JNO. W. GEARY.

No. 1103.

An Act

To incorporate the Sharon, Sharpsville and Mercer Railroad Company.

Commissioners.

SECTION 1. *Be it enacted, &c.,* That J. G. White, W. M. Slater, John I. Gordon, John Snyder, A. B. M'Cartney, E. A. Wheeler, J. M. M'Kinney, Joseph Sheriff and James Peirce, or any five of them, be and they are hereby appointed commissioners to open books and receive subscriptions and organize a company by the name, style and title of the Sharon, Sharpsville and Mercer Railroad Company, with all the powers and subject to all the provisions of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and its several supplements, except so far as is otherwise provided by this act.

Title.

Subject to.

Board of managers.

SECTION 2. That the president, vice president and five directors shall constitute the board of managers for said company.

Capital stock.

SECTION 3. The capital stock of said company shall consist of five hundred shares of fifty dollars each, and the company may, from time to time, by a vote of a majority of the directors, at a meeting called for that purpose, increase the capital

stock to so much as, in their opinion, may be necessary to complete and equip the said road and carry out the true intent and meaning of this act.

SECTION 4. That the said Sharon, Sharpsville and Mercer Railroad Company is hereby authorized and empowered to build, construct and equip a single or double track railroad from the borough of Sharon, by the way of Sharpsville, to some point at or adjacent to the borough of Mercer, all within the county of Mercer, and to build such branch roads as may be deemed necessary by the directors of said company, not exceeding ten miles in length for any one branch, and to cross any and all railroads at grade, or pass over or under in such manner as not to interfere with said roads so crossed in any way.

Authorized to construct railroad.

Build branches and cross roads.

SECTION 5. That said company may at any time borrow such sums of money as they may deem necessary to carry out the purposes of this act, and to issue bonds therefor, with or without coupons, in sums of not less than fifty dollars each, payable at such times and on such terms and at such rates of interest as they may deem proper, dispose of the same on such terms as may be advisable, and may secure the payment thereof by a mortgage or mortgages upon said road or its branches, the rolling-stock, franchises or any property of said company whatsoever.

May borrow money and issue bonds

SECTION 6. That the corporators herein named shall constitute the directors of said company, with power to elect a president, secretary and treasurer from their own number, and so remain and continue to act as such until their successors are elected, and annually thereafter the stockholders shall, on such notice as the directors deem necessary to prescribe, elect, by ballot, a president and five directors, who shall continue in office until their successors shall be elected, each stockholder to have the right to one vote or ballot for each share of stock he or she may hold, and may deposit the same by proxy duly executed to any attorney or stockholder that may be present on such day or days of election hereby authorized and appointed, and at such place as the directors may select: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now required, or that may hereafter be required by law: *Provided*, That the main line of said railroad be commenced within two years, and completed within six years from the passage of this act, and the branches within the same time from the time of their location.

Directors

Election.

Bonus and taxes

Commencement and completion.

APPROVED—The 1st day of April, A. D. 1872.

JNO. W. GEARY.

No. 1104.

An Act

To exempt from taxation the parsonage house and lot used and occupied by the bishop of the Protestant Episcopal church in the diocese of Pittsburg, situate in the city of Pittsburg.

SECTION 1. *Be it enacted, &c.*, That the building and ground belonging to the Protestant Episcopal church, in the diocese of Pittsburg, and used as a residence for the bishop of said diocese, and situate on Cliff and Arch streets, in the city of Pittsburg, be and the same is hereby exempted from taxation, so long as the same is used and occupied as aforesaid.

APPROVED—The 1st day of April, A. D. 1872.

JNO. W. GEARY.

No. 1105.

An Act

To authorize certain persons to sell and convey certain real estate, church property.

WHEREAS, The Presbyterian congregation of Pisgah, in the county of Jefferson, have and possess ten acres of land connected with the church building:

And whereas, At a congregational meeting held January fifteenth, one thousand eight hundred and seventy, William L. Johnson, William B. Kennedy and Isaac D. Hughes, were appointed a committee to sell a certain portion off the east end of said lot, and apply the proceeds in payment of a certain property in the village of Corsica, and receive in trust the deed for the same:

And whereas, Said committee having purchased said property for said congregation, to be used as a parsonage; therefore,

SECTION 1. *Be it enacted, &c.*, That William L. Johnson, William B. Kennedy and Isaac D. Hughes, or any two of them, be and they are hereby authorized and empowered, to sell either at public sale or private sale, to the highest and best bidder, all that part of the above ten acres lying west of a line running parallel with first west street, containing six acres, more or less, and apply the proceeds in payment of said parsonage, and to make and deliver to purchaser or purchasers thereof a good and sufficient deed, in fee simple, for the same.

APPROVED—The 2d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1106.

An Act

To exempt the parsonage of African Episcopal Church of St. Thomas, in the city of Philadelphia, from taxation.

SECTION 1. *Be it enacted, &c.*, That the parsonage of the African Episcopal Church of St. Thomas, in the city of Philadelphia, being the lot and premises number five hundred and thirty-two Powell street, in the Fifth ward of said city of Philadelphia, be and is hereby exempt from all taxation, except for state purposes.

APPROVED—The 2d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1107.

A Further Supplement

To act, entitled "An Act to incorporate the Bethlehem Street Railway Company," approved April twelfth, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted, &c.*, That the Bethlehem Street Railway Company shall have a further period of three years from the date hereof within which to commence their said railway.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1108.

An Act

To incorporate Wyoming Lodge, number thirty-nine, Independent Order of Odd Fellows.

SECTION 1. *Be it enacted, &c.*, That Daniel Metzgar, C. F. Reets, G. M. Nagle, F. D. Wert, Martin Fry, A. C. Montanye, James D. Laird, E. W. Finch, John Hartland, William How,

H. P. Blackman, W. H. Shepherd and other members of Wyoming Lodge, number thirty-nine, Independent Order of Odd Fellows, of the city of Wilkes Barre, county of Luzerne, and their successors in office and all persons who may hereafter be associated with them, be and they are hereby created and erected into a body politic and corporate in deed and in law, by the name, style and title of the Wyoming Lodge, number thirty-nine, and by that name shall have perpetual succession and be able to sue and be sued, plead and be impleaded in any court of law or equity or elsewhere, and shall be able and capable in law and in equity to take and hold to themselves and their successors either by gift, grant, devise or lease any lands or real estate, and also to take and hold for the use of said association any goods and chattels, sum or sums of money, by grant, gift, devise, lease or otherwise, from any person or persons whatsoever capable of making the same, and the same at their pleasure to grant, bargain and sell and generally to do all and singular the matters and things which shall be lawful for them to do for the well-being and due management of the affairs of the association: *Provided*, That the real estate of which the corporation shall at any time be possessed, shall not exceed the clear yearly value of three thousand dollars.

Object. SECTION 2. That the object of said corporation shall be to provide, erect and furnish a hall or building in the city of Wilkes Barre, county of Luzerne, for the accommodation of the members of the Wyoming Lodge, number thirty-nine, of the Independent Order of Odd Fellows, and such other lodges and encampments as may be established in said city of Wilkes Barre, to hold their meetings therein, and for such other purposes as they shall deem proper; also to provide, erect and furnish suitable dwelling houses for the use of widows and orphans of deceased members.

Seal, &c. SECTION 3. That it shall and may be lawful for said corporation to have a common seal, and have and exercise all the rights and privileges and immunities necessary for the purpose of the incorporation as herein expressed.

Management. SECTION 4. That the management and disposition of the affairs of the said the Wyoming Lodge, number thirty-nine, shall be vested in a board of the trustees, who shall be elected at the first regular meeting of the lodge after this act of incorporation shall be approved, and thereafter on the first Wednesday evening of January, of each and every year, and at the first meeting of the trustees after their election in each year, they shall choose from their body a president, secretary and treasurer.

Buildings and grounds exempt from local taxation SECTION 5. That the buildings and grounds occupied by the association for a hall, and for buildings for the wives and children of deceased members of the order, shall be exempt from all county, township, city and school taxes.

By laws. SECTION 6. That the corporation shall have power and authority to make by-laws conformable to this charter, and not inconsistent with the laws of the United States or of this commonwealth.

SECTION 7. That the legislature hereby reserves the right Reservation. to alter, revoke or annul this charter, whenever in their opinion such revocation shall be considered necessary for the public interest: *Provided*, That no injustice shall be done to the corporators thereof.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1109.

An Act

To incorporate the State police of Crawford and Erie counties.

SECTION 1. *Be it enacted, &c.*, That the persons who have Incorporation. associated, or may hereafter associate themselves into a company for the recovery of stolen horses and other property, and for the detection of thieves in Crawford and Erie counties, shall be and they are hereby created a body politic and corporate, by the name, style and title of the State police of Title. Crawford and Erie counties, and they are hereby ordained and declared a body politic and corporate, in fact and in law, Powers and privileges. with power to hold property, make contracts, sue and be sued, to choose such officers as they may deem necessary, and to all needful by-laws, rules and regulations for the government of said corporation and furtherance of its objects, not inconsistent with the constitution and laws of the United States or of this commonwealth: *Provided*, That said corporation shall not hold property to an amount exceeding ten thousand dollars.

SECTION 2. Each member of said corporation shall contribute equally to the payment of all losses and proper Payment of losses and expenses. expenses of said corporation, and the officers shall power to assess and collect the same as other debts are now by law collected.

SECTION 3. That each and every member of said corporation shall have the same power of arrest, detention, et cetera, Powers of members. as allowed by law to the police of the city of Philadelphia.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1110.

An Act

To incorporate the Waynesboro' and Blue Ridge Railroad Company.

Commissioners.

SECTION 1. *Be it enacted, &c.,* That Daniel Geiser, David M. Deatrich, Daniel Hoover, David B. Russel; E. A. Herring, Lewis S. Forney, Jacob J. Miller, Simon Lecrone, John W. Coon, Joseph Price, Samuel Frantz, John Phillips and John Funk, or any five of them, be and they are hereby appointed commissioners to open books and receive subscriptions and organize a company, by the name, style and title of the Waynesboro' and Blue Ridge Railroad Company, with all the powers provided by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

Title.

Powers.

Capital stock.

SECTION 2. That the capital stock of said company shall be two hundred thousand dollars in shares of fifty dollars each, with the privilege to increase the same to an amount sufficient to finish and equip the said road and carry out the true intent of this act.

Construction of railroad authorized.

SECTION 3. That the said company shall have the right to build and construct a railroad from the town of Waynesboro', in Franklin county, Pennsylvania, by the route deemed most feasible by a majority of the incorporators, to such point on the state line, in Washington township, Franklin county, Pennsylvania, as they shall select, with the right to connect with any other railroad now or hereafter to be built at either end, or at any intermediate point, and with the right to construct branch or lateral roads to the mineral districts of Franklin county, with the same right of connection with other roads as that enjoyed by the main line, and cross any railroad now constructed or hereafter to be constructed at grade.

Branches.

May borrow money and issue bonds.

SECTION 4. The said company shall have power and authority to borrow money in any sums not exceeding in amount one-half of the par value of the capital stock, at any rate of interest not exceeding seven per centum per annum, and to secure the re-payment of the same and the interest thereon, to give bonds, secured by a mortgage of and on the said railroad and the corporate rights and franchises guaranteed by this act, which principal money and interest shall be payable at such dates and times as the board of directors may deem advisable: *Provided,* That no bond shall be issued for a less sum than fifty dollars.

Officers.

SECTION 5. The said company shall elect or appoint a president and thirteen directors, and such other officers as shall be deemed necessary or expedient; and in every election for officers each share of stock shall entitle the holder thereof to one vote, which may be cast by proxy.

Votes.

SECTION 6. That if said company shall not commence the construction of said railroad within two years and complete it within five years from the passage of this act, the same shall be null and void, except so far as the same may be necessary to settle the affairs and pay the debts of the said company.

Commencement
and completion.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1111.

An Act

To incorporate the Brownsville and Youghioghenny Railway Company.

SECTION 1. *Be it enacted, &c.,* That Col. T. A. Scott, John L. Dillinger, B. F. Ruff, Adam Jacobs, George E. Hogg and Samuel H. Smith, and such other persons as may associate with them, be and they are hereby created a body politic and corporate, by the name of the Brownsville and Youghioghenny Railroad Company, with perpetual succession, and all other franchises of a corporation.

Corporators.

Name.

SECTION 2. The capital shall be four hundred thousand dollars, and the directors may augment the same at any time, or from time to time, to such amount as they may deem requisite to carry into effect the full intents and purposes of this act; but the original stockholders shall have the right to a valuable proportion of any increase of the capital stock as aforesaid; the directors may make any portion of the original or of the additional stock a preferred stock, with such preferences and advantages as they may determine; and they may also borrow money at a rate of interest not exceeding eight per centum per annum, and issue bonds therefor, secured by mortgage or mortgages upon the franchises and property of the company, or upon any part or parts thereof.

Capital stock.

Preferred stock.

Authorized to borrow money and issue bonds.

SECTION 3. The company is hereby authorized to construct a railroad with one or more tracks by such route as the directors may select, from some point on the South-West Pennsylvania railroad, at or near New Haven, in Fayette county, *via* Brownsville, to the boundary line of the state of West Virginia; and to construct branches, and connect the main stem and branches, or either, with any other railroad already built or hereafter constructed by any company incorporated or to be incorporated under authority of this, or of any other state, and may also consolidate with, lease or be leased by any such company, either before or after the commencement or completion of the roads of any of the contracting corporations.

Construction of railroad authorized.

Branches.

Authorized to connect with other roads, &c.

SECTION 4. The original capital stock authorized by this act may be taken by the parties aforesaid, at any time, without previous notice, and when ten per centum thereof shall

Taking of original capital stock.

Election for president and directors.

have been subscribed, and five per per centum of such subscription paid in, an election for president and directors may be held, at such time and place as may be agreed upon by a majority of the subscribers, notice having been waived or accepted by each stockholder, or a printed or written notice mailed to their post office address at least ten days previous to the election; and upon such election the organization of said corporation shall be complete.

How regulated, &c.

SECTION 5. In all other respects the company shall be regulated by the act of the nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, and shall be entitled to all advantages thereof, and of all other general laws of the commonwealth relative to railroad companies, with like privileges, as if organized thereunder.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1112.

A Supplement

To an act, entitled "An Act to incorporate the Mahoning and Susquehanna Railroad Company," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted, &c.*, That the time for building and completing said road shall be extended for the period of five years from the passage of this act.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1113.

A Supplement

To an act, entitled "An Act to incorporate the Woodruff Sleeping and Parlor Coach Company," approved the nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

Number of directors may be increased.

SECTION 1. *Be it enacted, &c.*, That so much of an act, entitled "An Act to incorporate the Woodruff Sleeping and Parlor Coach Company," approved the nineteenth of May,

Anno Domini one thousand eight hundred and seventy-one, as limits the number of directors to five, be changed, and is hereby changed so as to allow and authorize the stockholders of said company to elect, by ballot, any number of directors they may deem necessary, not exceeding fifteen.

SECTION 2. On and after the passage of this supplement the present board of directors of said company may at their discretion, call a special meeting of the stockholders, for the purpose of increasing the number of their board; and the directors thus chosen shall hold their offices until their successors shall be elected, as provided in the act to which this is a supplement.

Special meeting of stockholders may be called.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1114.

An Act

To authorize the Mauch Chunk Gas Company to increase its capital stock.

SECTION 1. *Be it enacted, &c.,* That the Mauch Chunk Gas Company be and they are hereby authorized to increase their capital stock to an amount not exceeding fifteen thousand dollars, by a vote of its stockholders, at a meeting to be held for that purpose at its office in Mauch Chunk, giving at least two weeks' notice by advertisement in two newspapers published in Mauch Chunk, of the time and place of said meeting.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1115.

An Act

To incorporate the Veterinary Association.

SECTION 1. *Be it enacted, &c.,* That Jos. H. Spenser, Michael W. Birch, J. B. Phillips and their associates, veterinary surgeons, and such other persons as now are or may hereafter

Corporators.

become associated with them, and their successors, be and they are hereby created and created into a body politic and corporate in deed and law, by the name, style and title of the Veterinary Association, and by that name and title shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, and shall be able and capable in law and equity to receive, take and hold for the use of said corporation, lands, tenements and hereditaments, and estates, real and personal whatsoever, and the same to grant, bargain, sell, transfer, assign, mortgage and convey in such manner as the said corporation shall deem proper, and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatever, and to make, have and use a common seal, and the same to change and renew at pleasure, and generally to do every other act or thing necessary to carry into effect the provisions of this act, and to promote the object and design of said corporation.

SECTION 2. That the object and design of said corporation shall be the instruction of gentlemen in the art and science of veterinary medicine and surgery, and otherwise promoting the interests of veterinary science.

SECTION 3. That the said corporation shall have power to grant diplomas, constituting the recipients doctors in veterinary medicine and surgery, under such restrictions as shall be laid down in the constitution and by-laws of the association, and that the said corporation shall have full power to enact and enforce such constitution and by-laws as they shall deem proper for its government, and for the better carrying out and effecting the objects, intents and purposes heretofore recited, and the same to amend, alter or repeal at pleasure; that such constitution and by-laws are not inconsistent with this charter or with the constitution of the United States, or the constitution and laws of this commonwealth.

SECTION 4. That the said corporation are hereby empowered to take and receive real or personal property by gift, devise or bequest, and no misnomer of said corporation shall defeat any intended gift, grant, conveyance, devise or bequest thereto, the same, however, to be always subject to the provisions of this act.

SECTION 5. That no enumeration of powers, privileges and duties herein contained shall be so construed as to exclude others, not enumerated, which may be necessary to the fulfillment of the designs and purposes of this act, and not inconsistent with its express provisions and limitations.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1116.

An Act

To incorporate the Penn Safe Deposit, Trust and Insurance Company.

SECTION 1. *Be it enacted, &c.*, That John Buckley, Charles Reichner, H. L. Smith, O. P. Morrow, John Kelsh, J. S. Sharkey, S. Ronaldson, Thomas Watson, or a majority of them, their associates, successors and assigns, be and they are hereby authorized and empowered to form a body corporate, to be known as the Penn Safe Deposit, Trust and Insurance Company, to be located in the city of Philadelphia, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Fidelity Insurance, Trust and Safe Deposit Company of Philadelphia, by act of the legislature, approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-six, and the several supplements thereto.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY

No. 1117.

An Act

To incorporate the Duncannon, Bloomfield and Loysville Railroad Company.

SECTION 1. *Be it enacted, &c.*, That George Hench, Jacob Bixler, Samuel Gutshall, W. W. M'Clure, James M'Neal, John A. Magee, John A. Baker, B. F. Junkin, John R. Shuler, John H. Sheibley, John Jones, William R. Swartz, O. B. Ellis, John Allister, Jr., James Swartz, of Perry county, or any five of them, are appointed commissioners to open books, receive subscriptions and organize a company, with power to construct a railroad from or near the borough of Duncannon, in the county of Perry, by way of Bloomfield, to Loysville, in Tyrone township, in the county of Perry.

Commissioners.

Power to construct
railroad

SECTION 2. The capital stock in said company shall consist of two thousand shares of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase the capital stock, if it be deemed necessary, to an amount sufficient to carry out the true intent and meaning of this act.

Capital stock.

May use sections
when completed.

Subject to.

SECTION 3. That when any section of five miles of said road shall be completed, the said company may use, employ and enjoy the same in the same manner as when the entire road shall be constructed: *Provided*, That the said company shall be subject to section eighteen of an act regulating railroads, approved February nineteenth, one thousand eight hundred and forty-nine: *Provided*, That said company shall have all the powers and be subject to all the restrictions of an act approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," and the further supplements thereto.

APPROVED—The 3d day of April, A. D. 1872.

JNO. W. GEARY.

No. 1118.

An Act

To incorporate the Riverside Coal Company.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Thomas Winans, Henry Siglin, Thomas M'Court and their associates, and such other persons as may become stockholders in said company, be and the same are hereby erected into a body politic and corporate in deed and by law by the name, style and title of the Riverside Coal Company, and as such shall have perpetual succession and all the powers, privileges, franchises and immunities of a corporation.

Title.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of ten thousand shares of the par value of fifty dollars per share, and the president and directors may have power to increase the same, from time to time, to an amount not exceeding one hundred thousand shares of the par value aforesaid, as may be necessary, from time to time, to carry out the objects of the corporation, or may issue the bonds of said company, bearing a rate of interest not exceeding eight per centum per annum, and payable at such times as they may designate, or may issue both stock and bonds, and dispose of either or both of the same at such prices and in such way and manner as they may deem expedient, and shall have power to secure the principal and interest of said bonds by a mortgage or mortgages upon the whole or any part of said property, real or personal, and their corporate rights and franchises, acquired or to be acquired by said company.

May issue bonds.

Payment of sub-
scriptions.

SECTION 3. That subscriptions to the stock may be paid in part or in whole in real estate and personal property, appropriate to the business contemplated by this act.

Powers.

SECTION 4. The said corporation shall have power to purchase, sell, transport and mine coal, and to mine and manu-

fracture iron, and for this purpose the said company shall have power from time to time to purchase, not exceeding eight thousand acres of land in the counties of Luzerne, Wyoming or Sullivan, and may sell, lease or mortgage or otherwise dispose of the same, or any part thereof, or any rights, easements or privileges therein, and may also lease such property or lands as they may deem necessary, and may construct all necessary buildings and fixtures necessary for the business of mining and preparing coal for market, mining or manufacturing iron, and the accommodation of persons engaged in their employ in said business.

SECTION 5. That the corporators, or a majority of them, named in the first section of this act, over their joint signatures, shall prepare a certificate setting forth that they have elected a president and five directors of said company, and the powers and duties of said corporators shall thereupon finally cease and determine, and said certificate, when deposited in the archives of said company, shall be evidence of the election of the president and directors named; and such president and five directors shall adopt a form for subscription for stock, and when not less than four thousand shares shall have been subscribed for, and not less than five dollars per share shall have been paid in, a meeting of the stockholders shall be called at such place and time to be designated in a written or printed notice to be served upon each stockholder, either personally or by mailing the same to his place of residence, and at the said meeting, or some adjournment thereof, the stockholders present, either in person or by proxy, shall have power by a majority of votes, to elect a new president and a new board of five directors, or to continue the old president and the old board of directors, and shall adopt such by-laws fixing the term of office, qualification and election of president and directors, the time and place of holding an annual meeting of the stockholders and election of president and five directors, the convening of special meetings of stockholders, the calling in and enforcing by suit, forfeiture or otherwise, payment of stock, subscription and such other matters connected with the business of said company as they may deem advisable, which said by-laws may be amended, altered or repealed by a majority of votes, at any general or special meeting of the stockholders, and at all corporate meetings or elections for any purposes whatever, each share of stock shall entitle the holder to one vote.

SECTION 6. The stockholders at their annual meeting, or at some adjourned meeting, shall elect a president and five directors, who shall serve for the ensuing year and until their successors are elected; and any vacancy in the office of president or directors shall be filled by the remaining directors or president and directors as the case may be; any four of the president and directors for the time being shall constitute a quorum, and shall be subject to the by-laws adopted by the stockholders, exercise all the corporate powers which the corporation may at any time lawfully exercise, including the powers of appointing all such officers, agents or employees as they may deem necessary, and may from time to time, adopt,

Certificate of election of president and directors.

When president and directors may be elected.

By-laws.

Annual election.

Vacancies.

Quorum.

Powers of directors.

Stock of other companies may be held by, &c.

Bonus and tax on dividends.

Individual liability.

Name may be changed.

repeal, alter or amend the by-laws for regulating the business of the company, not inconsistent with those adopted by the stockholders; and it shall be lawful for the president and directors of said company to subscribe for or purchase the lands or stock of any other incorporated company in the state of Pennsylvania, and for any railroad or mining company existing under the laws of this state, to subscribe for or purchase the stock, or to purchase or guarantee the bonds of the company hereby incorporated; this corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

SECTION 7. At the first meeting of the stockholders after payment of the first instalment provided for in the fifth section of this act, they may change the name of the said Riverside Coal Company, and in such case they shall certify the same to the auditor general of this commonwealth within twenty days thereafter.

APPROVED—The 4th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1119.

An Act

To authorize the Buffalo, New York and Philadelphia Railway Company to guarantee the bonds of other railroad companies.

Authorized to guarantee bonds of other companies.

SECTION 1. *Be it enacted, &c.,* That the Buffalo, New York and Philadelphia Railway Company is hereby authorized, by the vote of two-thirds of its directors, to guarantee the payment of the bonds of any other railroad company or companies whose line or lines of road shall intersect the line of the road of the said the Buffalo, New York and Philadelphia Railway Company, and to accept and receive from the company or companies whose bonds shall be so guaranteed, such security and indemnity therefor, as may be agreed upon with such company or companies, but no such guarantee shall be made of the bonds of any company the length of

whose line or lines of road shall exceed, in all, one hundred and seventy-five miles, nor shall the bonds so to be guaranteed exceed twenty-five thousand dollars a mile of the railroad of such company or companies.

SECTION 2. No such guarantee shall be made except upon an affirmative vote of the stockholders holding a majority of the stock represented at a meeting of the said the Buffalo, New York and Philadelphia Railway Company, which shall be called by the directors, upon a notice of at least ten days, by publishing the same daily in at least three of the daily newspapers printed in the city of Buffalo, which notice shall specify that such meeting is called for the purpose of considering the propriety of making such guarantee.

No guarantee to be made except on vote of stockholders.

SECTION 3. This act shall take effect immediately.

APPROVED—The 4th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1120.

An Act

To incorporate the Citizens' Mutual Life Insurance and Trust Company of Pennsylvania.

SECTION 1. *Be it enacted, &c.*, That William Smith, J. Boyd, W. Scott, their associates, successors and assigns, be and they are hereby created a body politic and corporate, in deed and law, by the name, style and title of the Citizens' Mutual Life Insurance and Trust Company of Pennsylvania, with all the rights, powers and privileges set forth and granted in and by an act to incorporate the Schuylkill Haven Mutual Life and Health Insurance Company of Schuylkill Haven, approved April nineteenth, one thousand eight hundred and fifty, and the supplement thereto, approved February seventeenth, one thousand eight hundred and fifty-four, and also with the same rights and privileges as are set forth and granted in and by an act to incorporate the Empire Mutual Life Insurance and Trust Company of Pennsylvania, approved the second day of April, one thousand eight hundred and sixty-nine; and the first board of directors of the company shall be chosen by a majority of the incorporators before named, such board to consist of not less than four members, to hold office until their successors are elected by the stockholders.

APPROVED—The 4th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1121.

An Act

To incorporate the Saint Charles Improvement and Mining Company.

Corporators.	SECTION 1. <i>Be it enacted, &c.</i> , That J. M. Guthrie, J. N. Hamilton, C. J. Rhodes, C. K. Bullock, John Rupely, Sen., M. B. Coho, their associates and successors, be and are hereby created a body politic and corporate, by the name, style and title of the Saint Charles Improvement and Mining Company, and as such shall have perpetual succession and enjoy all the rights, privileges, franchises and incidents of a company.
Title.	
Capital stock.	SECTION 2. The capital stock of said company shall be two thousand dollars, divided into shares of twenty dollars each, with the privilege of increasing the same, from time to time, to an amount not exceeding twenty thousand dollars; this increase and the manner in which stock shall be disposed to be regulated by by-laws of said company.
Payment of subscriptions.	SECTION 3. The subscription to the capital stock of the company may be paid in real or personal property, appropriate to the business of this act, by a valuation to be agreed upon by the majority of the board of directors; said corporation may issue bonds secured by mortgage or otherwise, to an amount not exceeding twice the capital stock of the company, and sell the same at their market value, notwithstanding it may be less than par; no bond shall be issued for less than fifty dollars.
May issue and sell bonds.	
Officers.	SECTION 4. This company shall be officered as follows: A president, a board of five directors, of whom the president shall be a member, <i>ex-officio</i> , and a secretary, treasurer and superintendent, all to be elected by ballot immediately after organization of the company, and annually thereafter, at such times and places as the by-laws may prescribe.
May improve Yellow creek and branches.	SECTION 5. The officers of this company shall have the power to clear and improve Yellow creek and all its branches and tributaries, from their sources to their mouths, and the stream called Two Lick, from the confluence of Yellow creek, at Homer, to its confluence with Black Lick, to erect dams and schutes to dams already erected, or that may be erected hereafter in streams, and shall have the power by bracket or otherwise, to control the water of said streams: <i>Provided</i> , That no damage be done to private property for the floating of logs, rafts, railroad ties, or any kind of lumber or timber whatever, either on the said Yellow creek or so much of the Two Lick as has been mentioned above; they shall further be empowered to purchase or lease timber lands on said streams, or to buy logs delivered on the banks of the same just named waters; they shall likewise have the privilege of manufacturing lumber.
May purchase lands, &c.	
Tolls.	SECTION 6. The said company may charge tolls for all timber floated on the above named waters, to an amount not ex-

ceeding two and one-half cents per mile per thousand feet, board measure, for every mile floated on said stream, and one cent per mile for each cross-tie: *Provided*, That the total cost for timber and lumber floated shall not exceed fifty cents per thousand foot, board measure.

APPROVED—The 4th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1122.

An Act

To incorporate the Centennial Sewing Machine Company.

SECTION 1. *Be it enacted, &c.*, That Wm. H. Sterling, Frederick A. Miller, Jesse C. Coulston, William B. Eltonhead, William H. Wolverton, Charles B. Collier, and William B. Dayton, and their associates, or any of them, be and they are hereby created a body politic and corporate, in law, by the name, style and title of the Centennial Sewing Machine Company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name, property, real and personal and mixed, and of using and applying such property for the purpose of manufacturing, buying, using and selling sewing machines, and letters patent relating thereto, and of selling and granting rights under such letters patent, and also of doing work with such machines, and for this purpose may hold or erect houses and such other buildings and works of all kinds as may properly appertain to such business.

SECTION 2. That said company shall have power to make such by-laws as they may deem proper to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock and bonds, representing the value of their property in such form and subject to such regulation as they may from time to time by their by-laws prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed and the terms thereof.

SECTION 3. That the capital stock of said company shall be two hundred and fifty thousand dollars, (with the privilege of increasing the same at the option of a majority in interest of stock at any time at any meeting of the stockholders, to five hundred thousand dollars,) to be divided into shares of twelve

Bonus.	dollars and fifty cents each; and they shall pay into the treasury of the commonwealth a bonus of one-half of one per centum upon their capital stock in like manner as required of other corporations, and upon all increase of capital whenever any increase may be required for the purpose of the corporation and so declared; that the principal office of said company shall be in the city of Philadelphia, and said company shall not at any time own land exceeding one hundred acres within this commonwealth, and shall at all times be liable to taxation in the same manner and to the same extent as may be from time to time imposed upon like corporations.
Principal office.	
Real estate.	
Liability to taxation.	
Directors.	SECTION 4. That the corporators named in this act shall elect persons to serve as directors, and a majority of them shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.
Offices.	SECTION 5. That it shall be lawful to establish the necessary offices for the business of the company wherever their business is located, and to have their principal office in such place as they deem expedient, at which place it shall be lawful to hold all meetings for the transaction of the business of the company.

APPROVED—The 4th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1123.

An Act

To incorporate the Union Iron, Coal and Manufacturing Company.

Corporators.	SECTION 1. <i>Be it enacted, &c.</i> , That J. M. Stackhouse, M. B. Crary, J. S. Koons, Lot Fink, F. A. B. Koons, Lot Search, James Hutchison, M. E. Jackson, G. R. Pringle, D. L. Chapin and M. E. Hess, their associates, successors and assigns, and all such persons and parties, companies or corporations as shall become stockholders in the company hereby incorporated, shall be and they are hereby constituted a body politic and corporate by the name, style and title of the Union Iron, Coal and Manufacturing Company, to be located in the county of Luzerne, state of Pennsylvania, and by the said name, style and title, shall have all the powers, immunities and privileges of a corporation and body politic in law, for the purpose and business of mining and preparing coal, mining iron ore, manufacturing iron, railroad cars, locomotives, farming implements and general manufacturing purposes, and shall have power to hold in fee simple or for any less estate lands in the county of Luzerne, not exceeding five thousand acres.
Title.	
Location.	
Powers and privileges.	

SECTION 2. That any six of the corporators herein named may proceed to open books for subscriptions to the capital stock of the said company at Shickshinny or elsewhere, and when one thousand shares of stock are subscribed for, and ten per centum fully paid thereon, the corporators named in this act, or any six of them, shall call a meeting of the stockholders for holding the first election for officers of the company, and when said election is made this act shall take effect; each share of stock so subscribed shall entitle the holder thereof to one vote, and stockholders may vote in person or by proxy.

Subscriptions to stock.

First election for officers.

SECTION 3. That the capital stock of said Union Iron, Coal and Manufacturing Company, which shall be assignable only on the books of the company, shall be one hundred thousand dollars, to be divided into shares of fifty dollars each, with the right and power in the said company to increase its capital stock, from time to time, as it may elect, to any sum not exceeding eight hundred thousand dollars.

Capital stock.

SECTION 4. That the affairs of the said company shall be managed by a president, a vice president and nine directors, to be elected annually after the first election by the stockholders, out of their number, and shall hold their offices for one year, and until their successors are elected, but any failure or omission to elect such directors annually shall in no wise impair or effect meanwhile the rights and powers of those holding over, or the rights and interests of the said company in any way; such board of directors shall elect a treasurer and secretary for the said company, and such other officers and agents of said company as they may deem necessary to manage the affairs of the company, and shall fill all vacancies owning in their own body, until the next succeeding election by the stockholders; and a majority of said board shall constitute a quorum for the transaction of business; they shall have power to make by-laws for the regulation of the affairs of the company, subject to the provision, approval or rejection of the stockholders, and not inconsistent with the laws of this commonwealth or of the United States or the provisions of this charter.

Management.

Directors to be elected annually.

Failure to elect.

Officers and agents.

Vacancies.

Quorum.

By-laws

SECTION 5. That the said company shall have power to construct lateral railroads, not exceeding ten miles in length, and to cross at grade or connect with any other railroad now built, or which shall hereafter be built, with all the powers and privileges, and subject to all restriction, terms and conditions authorized and empowered by an act regulating railroad companies, passed on the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto.

May construct lateral railroads, and cross or connect with other roads.

SECTION 6. That said company shall pay into the treasury of the state such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes.

SECTION 7. That the said company may borrow money and create indebtedness in such way and manner as the board of directors may deem necessary for the prosecution and management of the business of said company, and issue securities of said company therefor in such manner and form, and

May borrow money and create indebtedness.

payable in such places as they may deem best, at a rate of interest, not exceeding eight per cent., and dispose of such securities in such manner and at such places as said board may direct, for the purpose of buying and selling coal, iron, iron ore and manufacturing purposes, and other business of the company.

APPROVED—The 4th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1124.

An Act

To incorporate the Falls City and West Virginia Railroad Company.

Commissioners.

SECTION 1. *Be it enacted, &c.,* That Hon. Andrew Stewart, Clark Breeding, Hon. Samuel A. Gilmore, Sebastain Rush, Nicholas M'Cartney, L. Vansickle, J. D. Elliot, Godfrey Fazenbaker, Wm. L. Smith, of Pennsylvania, and John Heradar, George Monst, Thomas Scott, Charles Kantner, H. C. Hagans, Robert W. Monroe, S. L. Allen and Joseph Jackson, of the state of West Virginia, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Falls City and West Virginia Railroad Company, with power to construct a railroad from _____, in Fayette county, to the West Virginia state line, at such point and by such route as to the directors may seem advisable, and to connect the same with any other road or roads, and specially with the Iron Valley and Pennsylvania Line Railroad Company; said road to be either a single or double track as to the directors may seem advisable.

Title.

Power to construct railroad.

Connect with roads.

Capital stock.

SECTION 2. The capital stock of said company shall consist of five hundred thousand dollars divided into shares of fifty dollars each, with the privilege of increasing the same from time to time to such an amount as the directors may deem needful and sufficient to build and equip said road.

Directors may borrow money and issue bonds.

SECTION 3. The directors of said company are authorized to borrow from time to time such sums of money as to them may seem necessary to provide for the construction and equipment of said road, and to issue bonds therefor at such rate of interest not exceeding eight per centum per annum, and to secure the same by mortgage upon the whole or any part or parts of said road, and upon all or part of any estate, real or personal, belonging to the said corporation, and upon the corporate franchises thereof.

Privileges, &c.

SECTION 4. That the said company shall in all respects be entitled to all the privileges conferred by and be governed by all the restrictions contained in an act, entitled "An Act

regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, and shall be entitled to all the rights conferred by all the general laws of the commonwealth relating to railroad companies.

APPROVED—The 4th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1125.

An Act

To incorporate the Freehold Mutual Building and Loan Company.

WHEREAS, A number of the citizens of the city of Philadelphia have associated themselves together for the purpose of forming a loan and building association and affording to the members thereof the advantage of security and interest : Preamble.

And whereas, Such an association is calculated to be useful in enabling its members to accumulate a fund with which to commence business or purchase for themselves and families a homestead :

And whereas, The court of common pleas of the city and county of Philadelphia is not authorized to grant charters for building and loan associations with a capital exceeding two thousand five hundred shares of two hundred dollars each :

And whereas, It is more beneficial to have a greater number of shares at a greater par value ; therefore,

SECTION 1. *Be it enacted, &c.,* That John C. Bullitt, Charles P. Perot, S. Hervey Norris, Ellwood Wilson, Samuel Dickson, Joseph J. Doran, Macomb K. Elmer, Franklin Dandore and their associates, shall be and are hereby created and made a body politic in law by the name, style and title of the Corporators.

Freehold Mutual Building and Loan Company, and by that name shall have succession for twenty years, and be capable, by law, to hold and dispose of property, to sue and be sued, plead and be impleaded, and to make and receive all deeds, transfers, contracts, covenants, conveyances, grants and assurances in the law whatsoever, and to make, have and use a common or corporate seal, and the same to change, alter and renew at pleasure, and generally to do every other act or thing necessary to carry into effect the provisions of this act, and promote the object and design of said corporation. Title.
Powers and privileges.

SECTION 2. The stock of this company shall at no time consist of more than five thousand shares of stock of one thousand dollars each, payable in monthly instalments of five dollars, on such day in each and every month as the by-laws of this company shall require ; and all stock surrendered or cancelled may be re-issued by the company. Stock.

Officers.

SECTION 3. The officers of this company shall consist of a president, vice president, treasurer, secretary and a board of seven directors, including the president and vice president, all of whom shall be elected annually by the stockholders, at such times as the constitution and by-laws shall determine.

How funds may be used.

SECTION 4. The funds of the company may be used in the purchase of mortgages, or loaned by the board of directors to the stockholders, secured by bond, warrant of attorney, and mortgage on real estate on the capital stock of the company, and such other collateral securities as the board of directors may deem ample and sufficient.

When stockholder entitled to \$1,000 for each share surrendered.

SECTION 5. Whenever the instalments paid by any stockholder, together with his proportion of the profits, shall amount to the sum of one thousand dollars for each share of stock held by him, he shall be entitled to receive from the company one thousand dollars for each share of stock surrendered and returned to the company.

By-laws.

SECTION 6. The stockholders shall have power to adopt such by-laws as may be necessary to carry out the objects of this company: *Provided*, They are not inconsistent with the constitution and laws of the United States or the constitution and laws of this commonwealth.

May receive deposits of money.

SECTION 7. The company is authorized to receive deposits of money: *Provided*, That the total amount of such deposits shall not at any time exceed the amount of capital then actually paid in.

Further powers, and privileges.

SECTION 8. The company shall have and may exercise all the privileges, immunities and powers conferred by the act of assembly of this commonwealth, entitled "An Act to confer on certain associations of the citizens of this commonwealth, the powers and immunities of corporations and bodies politic in law, and to confirm charters heretofore granted," approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine, and the supplement thereto, so far as the same are not inconsistent herewith.

APPROVED—The 5th day of April, A. D. 1872.

JNO. W. GEARY.

— — —
No. 1126.

An Act

To incorporate the Protection Insurance, Trust and Safe Deposit Company of the city of Philadelphia.

Corporators.

SECTION 1. *Be it enacted, &c.*, That Howard S. Jones, John F. Hillman, Nicholas Baggs, Robert J. Black, Stephen M. Barbour, James C. Pancoast, George S. Kiker, and all other persons who shall hereafter become stockholders in the company incorporated, shall be a body corporate by the name of the Protection Insurance, Trust and Safe Deposit Company, and by

Name.

that name shall have perpetual succession, and may sue and be sued in any court whatsoever.

SECTION 2. That the purpose of this act is to organize an incorporated company, and to authorize them as such to receive and hold, on deposit and in trust, estate, real and personal, including the notes, bonds, obligations and accounts of states and of individuals, and of companies and of corporations, and the same to purchase, collect and adjust and settle, and also to sell and dispose thereof in any market in the United States or elsewhere, and for such price and on such terms as may be agreed on between them and parties contracting with them; that the corporation hereby created shall also possess and have the power to make insurance for the integrity of persons holding places of responsibility and of trust, and to receive upon deposit for safe-keeping, jewelry, plate, stock, bonds and valuable property of every kind, upon terms to be prescribed by the by-laws of the said company: *Provided*, That nothing herein contained shall authorize said company to engage in the business of banking.

SECTION 3. The capital stock of said company shall consist of five thousand shares of stock of the value of one hundred dollars each, being five hundred thousand dollars, with the privilege to increase the same, by a vote of the stockholders, at an annual or special meeting, to one million of dollars; and the corporators, or a majority of them, named in the first section of this act, shall have power to open books for subscription, at such times and places as they may deem expedient; and when not less than one thousand shares shall have been subscribed, and ten per centum thereon shall have been paid in, (active business shall not be commenced however until at least one hundred thousand dollars have been paid on the capital stock,) the shareholders may elect nine directors to serve until the next annual election, or until their successors shall be duly elected and qualified; and the directors so elected of said company, when it shall have been organized, may and they are hereby authorized and empowered to have and to exercise, in the name and in behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to a *pro rata* share of such increase, upon the payment of the par value of the same.

SECTION 4. The principal office only of the said company shall be in the city of Philadelphia.

SECTION 5. The directors shall be elected annually by the stockholders on the first Monday of May, and they shall elect from their number, at the first meeting of the board after their election, a president and a vice president, and shall have power to elect a treasurer and a secretary, and such other officers, clerks and agents as the business of the company may require; all elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for

Purpose.

Powers.

Capital stock.

Subscriptions.

Commencement of business.

Election of directors.

Power and authority of directors.

Right of stockholders in case of increase of capital stock.

Office.

Annual election of directors.

Officers and agents.

Votes.

Eligibility as director.	each share of stock held by him; but no person shall be eligible as director who is not a stockholder to the amount of twenty shares; at the annual or special meetings a quorum shall consist of stockholders owning at least one-third of the capital stock.
Quorum.	
Notice of election.	SECTION 6. Ten days' notice shall be given by the publication in two papers, published in the city of Philadelphia, of the time and place of the annual election, which election shall be conducted by three stockholders, one of whom shall act as judge and the other two as inspectors.
How conducted.	
By-laws.	SECTION 7. The board of directors shall make all by-laws necessary for conducting the business of the company, which by-laws shall at all times be posted up in the place or places of business of said company, and accessible to all persons transacting business with them; the directors shall have power to require payment of the amount remaining unpaid on the stock of said company, at such times and in such proportions as they shall think proper, and under the penalty, in case of non-payment as required, of forfeiture to the company of such stock and all previous payments thereon, the said assessments to be made as the by-laws of said company shall direct.
Payment of amounts remaining unpaid on stock.	
Bonus and tax on dividends.	SECTION 8. The said company shall pay to the state treasurer, for the use of the state, a bonus of one-half of one per centum on the sum required to be paid in previous to the organization, in four equal annual instalments, the first payment to be made in one year after the payments of the capital stock shall be made, and also a like bonus on all subsequent payments on account of the capital stock of said company, or an increase thereof, payable in like manner, and in addition to such bonus shall pay a like tax upon dividends as is or may be imposed by law.
When courts may have affairs and management investigated.	SECTION 9. That whenever any court shall appoint the Protection Insurance and Safe Deposit Company aforesaid, a receiver, assignee, guardian, executor or administrator, or other trustee, or shall order the deposit of any moneys with said company, such court, if it deems it necessary, may, from time to time, appoint a suitable person to investigate the affairs and management of said company, who shall report to such court the manner in which its investments are made, and the security afforded to those by or for whom its engagements are held; and the expenses of such investigation shall be defrayed by the said company; or the court may, if deemed necessary, examine the officers of said company, under oath or affirmation, as to the security aforesaid.
Capital security for performance of duties as trustee.	SECTION 10. That whenever the said company shall receive and accept the office or appointment of executor, administrator, guardian or other trustee as aforesaid, from any person or persons, register of wills or court, the capital stock of said company as paid in, and not being less than fifty per centum thereof, shall be taken and considered as the security required by law for the faithful performance of their duties as aforesaid, and shall be absolutely liable in case of any default whatever.

SECTION 11. That any executor, administrator, guardian or other trustee having the custody or control of any bonds, stock, securities or other valuables belonging to others, shall be authorized to deposit the same for safe-keeping with said company.

Trustees may deposit valuables with.

SECTION 12. That the stockholders at any annual or special meeting called for that purpose may increase the number of directors to any number not exceeding thirteen.

Directors may be increased.

SECTION 13. That the Protection Insurance and Safe Deposit Company is hereby authorized to accept and execute all such trusts of every description not inconsistent with the laws of this state as may be committed to it by any person or persons whatever, or by any corporation or register of wills, or by any court of record, whether of this or any other state or of the United States, and also to act as agent for the purpose of issuing or countersigning the certificates of stock, bonds or other obligations of any other corporation, association, municipality, state or public authority, and to receive and manage any sinking fund therefor, on such terms as may be agreed upon.

May execute trusts of every description.

Act as agent for certain purposes.

SECTION 14. That whenever the said company shall be appointed trustee or depository, it shall not be required to give any security, but the capital of said company shall be taken and considered as the only security required by law for the faithful performance of its duties aforesaid, and shall, together with its property and effects, be absolutely liable in case of any default whatever; and it shall be lawful for any court having jurisdiction of the matter to make or approve such appointment, and to examine the officers of said company under oath as to the security aforesaid, or investigate the affairs and management of said company as provided by the supplement to the act aforesaid.

Not required to give security when appointed trustee or depository.

Court may approve appointment, &c.

SECTION 15. That it shall be lawful for the said company and it is hereby authorized to become sole surety in any case where by law one or more sureties may be required for the faithful performance of any trust or office, and in every such case the capital stock of said company shall be taken and considered as sufficient security therefor, but in such case the officers and affairs of said company shall be subject to examination and its property and effects liable as aforesaid; and it shall be lawful for said company to stipulate and provide for indemnity from the person or persons or parties for whom it shall become responsible, and to enforce any contract, pledge or other security made or given for that purpose as may be equitable or just.

May become sole surety.

SECTION 16. That nothing in any law contained shall prevent or be construed to prohibit the vice president and solicitor of the Protection Insurance, Trust and Safe Deposit Company of the city of Philadelphia from being directors of said company, and receiving at the same time such compensation for their respective services as such officers as the said board may direct.

Vice president and solicitor may be directors.

APPROVED—The 5th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1127.

An Act

To incorporate the Reliance Life Insurance and Trust Company of Schuylkill county.

Corporators.

SECTION 1. *Be it enacted, &c.*, That William B. Rudy, O. L. Saylor, B. F. Shannon, Daniel Saylor and Jacob Deibert, and all others who may hereafter be associated with them, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate by the name, style and title of the Reliance Life Insurance and Trust Company of Schuylkill county, with all the rights and privileges and be subject to all the restrictions set forth in an act, entitled "An Act to incorporate the Schuylkill Haven Mutual Life and Health Insurance Company of Schuylkill Haven," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty, and the supplement thereto, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-four.

Title.

Privileges, &c.

Location.

SECTION 2. The business of the said corporation shall be carried on at Schuylkill Haven, Schuylkill county.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1128.

An Act

To exempt certain parsonages in the county of Bradford from taxation.

SECTION 1. *Be it enacted &c.*, That from and after the passage of this act, the parsonage of the First Methodist Episcopal church, of the borough of Canton, in the county of Bradford, situated on Union street, in said borough, the Methodist Episcopal parsonage, East Canton, the Methodist Episcopal parsonage of Troy, the parsonage of the Second Presbyterian church of Wyalusing, the parsonage of the Methodist Episcopal church of Ulster, and the parsonage of the Methodist Episcopal church of LeRaysville, shall be exempt from taxation, except for state purposes.

APPROVED—The 9th day of April A. D. 1872.

JNO. W. GEARY.

No. 1129.

An Act

To incorporate the Fraternal Co-operative Mutual Insurance Company.

SECTION 1. *Be it enacted, &c.*, Stephen Ellis, John Dill- Corporators.
dine, William J. M'Kee, Mahlan Hagerman, Thomas J.
Galbraith, David Wilson, John Watson, Stephen C. Ellis,
Daniel F. Gouger, Daniel W. Smith, James Brennan, Charles
Reader and George W. Smith, and their associates, succes-
sors and assigns, are hereby created a body politic and cor- Title.
porate in law, under the name, style and title of the Frater-
nal Co-operative Mutual Insurance Company, and by that
name shall have perpetual succession, may have a corporate Powers and privi-
leges.
seal, and be able to sue and be sued, implead and be impleaded
in all courts of record and elsewhere, to purchase, receive,
have, hold and enjoy to them and their successors such real
estate as may be required by said company to carry out the
objects of the said corporation, and to receive and invest all
moneys in stocks, bonds, mortgages, or such other securities
as the said corporation, their successors or assigns, may deem
proper for the benefit of the association, and to sell, mortgage
and re-invest the same according to the laws of the state of
Pennsylvania.

SECTION 2. Any person residing or owning property in the Membership.
township of Limestone or Anthony, in the county of Mon-
tcur, or in either of the other townships which may be in-
cluded as hereafter provided, may become a member of said
company under such rules and regulations as shall be adopted
by the by-laws of said company, and by signing an agree-
ment to pay his or her proportionate share of all losses which
any member of said company may suffer by reason of fire,
storm, or by accident, and such further sum of money as may
be assessed by the directors of said company, with the con-
sent of the members thereof first had and obtained, as may
be necessary to cover the necessary expenses of operating
the said company; and if any member of said company shall,
after thirty days' notice, fail to pay any liability assumed by
him or her by virtue hereof, he or she shall forfeit all right,
title and interest to any of the benefits of said company, and
cease to be a member thereof.

SECTION 3. The corporators aforesaid, or any five of them, Organization
shall have power to organize said company, and to appoint
such officers as may be necessary to carry out the objects
thereof, and serve as directors thereof for one year after the
organization thereof, and to ordain, establish and put into By-laws.
execution such by-laws and regulations as may be necessary
for the government of the company: *Provided*, That said
by-laws shall not conflict with the laws of the United States
or of the state of Pennsylvania.

Certain townships may be embraced within operations of company.

SECTION 4. The directors of said company may, by resolution, embrace within the operation thereof the township of Derry, in the county of Montour, and the townships of Lewis and Turbut, in the county of Northumberland, whenever they shall be instructed so to do by the members thereof.

Transaction of business.

SECTION 5. The said company may transact its business at such place as the directors thereof may from time to time determine.

Not to insure in towns.

SECTION 6. No property in any town or village shall be insured by said company.

How to be organized, &c.

SECTION 7. Said company shall be organized and managed according to the provisions of the laws to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and the supplement thereto, as far as the said law and supplement do not conflict with this act.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1130.

A Supplement

To an act to incorporate the Philadelphia, Delaware and Chester Central Railroad Companies of the counties of Philadelphia, Delaware and Chester, approved March seventeenth, (17,) one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That the name of the Philadelphia, Delaware and Chester Central Railroad Company of the counties of Philadelphia, Delaware and Chester, be and the same is hereby changed to the Philadelphia and Chester County Railroad Company.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1131.

An Act

To incorporate the Western City Telegraph Company.

SECTION 1. *Be it enacted, &c.*, That J. B. Kaufman, C. J. Bartleson, James Taylor, W. S. Jones, and their associates, and all other persons who may become subscribers to the capital stock of the Western City Telegraph Company, their successors and assigns, be and they are hereby incorporated and constituted a body corporate and politic by the name,

style and title of the Western City Telegraph Company, and by that name shall have perpetual succession, and shall have all the rights, powers and privileges granted in and by an act to incorporate the Printing Machine Telegraph Company, approved May tenth, one thousand eight hundred and seventy-one, except that it shall be competent and lawful for this company, if it shall so elect, to commence its operations and construct its first lines in the city of Pittsburg, and in the county of Allegheny.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1132.

An Act

To exempt the parsonages of the Evangelical Lutheran and Presbyterian congregations of Greencastle from taxation.

SECTION 1. *Be it enacted, &c.*, That the parsonages of the Evangelical Lutheran and Presbyterian congregations of the borough of Greencastle, be and the same are hereby exempt from the payment of all county, borough, bounty and school taxes from and after the passage of this act, except for state purposes.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1133.

An Act

To incorporate the Commercial Insurance Company.

SECTION 1. *Be it enacted, &c.*, That L. E. Chamberlain, A. Eugene, Wm. Winters, Wm. M'Culley, and all others who may be associated with them, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Commercial Insurance Company, and by that name, style and title shall have perpetual succession, may sue and be sued, plead and be impleaded, and defend in any court of law

Corporators.

Title.

Powers and privileges.

or equity, may purchase, hold and enjoy to themselves and their successors, land, tenements, leasehold estates, goods, chattels, choses in action, securities and estates, real, personal and mixed, of whatsoever kind, and the same to sell and convey, from time to time; also to make and have a common seal, and the same to alter and renew at pleasure, to make such by-laws, ordinances, rules and regulations as may be deemed expedient for the management of the business of said company.

Management.

SECTION 2. The said company shall be managed by a board of directors to be elected annually, and said directors shall annually elect one of their number to be president of said company, and shall also appoint a secretary and such other officers and agents as may be deemed necessary; and all vacancies in the board of directors or in any of said offices shall be filled by the directors; the directors shall have power to declare what number of directors less than the whole shall constitute a quorum for the transaction of business; that all elections of the stockholders for directors or other purposes shall be held at the company's place of business aforesaid, and each stockholder shall be entitled to one vote for each share of stock, and may vote by proxy or otherwise; the directors of said company shall be elected annually at such times and places as the by-laws shall direct, and hold their offices for one year and until their successors shall be duly chosen and qualified: *Provided*, That the incorporators named in this act and their associates shall elect the first president and directors upon the organization of this company, whose term shall expire upon the election of their successors by the stockholders.

Officers and agents.

Vacancies.

Quorum

Elections.

First president and directors.

Capital stock.

SECTION 3. That the capital stock of said company shall be fifty thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing the same from time to time, by a vote of the directors.

Power to increase, &c.

SECTION 4. That the said company shall have power to make contracts, and to take risks against losses by fire, either upon the cash or mutual plans or systems, or both, upon all kinds of buildings, merchandise and other property, either limited or perpetual, and generally to insure all kinds of property against loss or damage by fire, or any other cause or risk; to make all kinds of insurance against loss or damage of goods, merchandise, or other property, in the course of transportation by land, water or otherwise, and in vessels, or boats, or other water craft; to lend money on bottomry or respondentia, and generally to do and perform all other matters and things connected with and proper to promote the object of the company.

Collection of assessments.

SECTION 5. All assessments made by said company upon policy holders may be collected the same as like amounts are collected by law, without stay of execution; and in case any assessment is not paid within thirty days after notice of the same, the company may appoint a suitable person to collect the same, and ten per centum may be added to the amount of the assessment for compensation for collection.

SECTION 6. That it shall be lawful for said corporation to invest its capital, premiums and profits in real or personal security, in bonds, notes, mortgages, ground rents, judgments, stocks and loans of the United States and state of Pennsylvania, and stocks or loans of any borough, city or institution incorporated by the laws of this commonwealth, and in other good securities, and to sell, transfer and change the same, and re-invest the funds of said corporation where the directors shall deem it expedient; it shall also be lawful for said company to receive, purchase and hold any real or personal property, stocks or other securities, in payment of debts due them, or to secure the same in any manner that the interests of said corporation may require; to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to sell, assign and convey the same in fee simple or otherwise: *Provided*, Said corporation shall not exercise any banking privilege.

Investment of funds.

May hold property in payment of debts, &c

SECTION 7. The directors may, in each and every year, declare a dividend of so much of the profits of the company as to them shall appear advisable; and the dividends so declared shall be paid to the respective stockholders, agreeably to such rules and regulations as the directors shall make for that purpose; but the moneys received as premiums on risks, which shall not be terminated at the time of making such dividends, shall not be considered as part of the profits of the company; and no dividend shall be declared when the capital stock shall be reduced by the losses or expenses until a sum equal to said diminution shall have been added to the capital.

Dividends.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1134.

A Further Supplement

To an act incorporating the Northern Railroad and Navigation Company, approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted, &c.*, That the Northern Railroad and Navigation Company is hereby authorized to issue additional bonds to the extent of one million five hundred thousand dollars, bearing interest not exceeding eight per centum per annum.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1135.

An Act

To Incorporate the Excelsior Insurance Company of Pennsylvania.

Corporators.

SECTION 1. *Be it enacted, &c.,* That D. L. O'Neill, Horace Armstrong, John J. Scanlan, H. Barring, Thomas Quick, F. J. Helfrich, Wm. P. O'Neill, T. C. Mullally, Reese Davis, John Batterton, J. E. Finan, John Lynch, J. J. Weighan and Philip O'Neill, and all other persons who may hereafter be associated with them, in the manner hereinafter prescribed, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Excelsior Insurance Company of the state of Pennsylvania, and by the same be sued, plead and be impleaded in all courts of record and elsewhere, and to purchase, receive, have, hold, enjoy, to them and their successors, lands and tenements, rents, annuities, franchises and hereditaments, goods, chattels and choses in action of whatsoever kind, and the same to sell and dispose of from time to time, and also to make and have a common seal, and the same to alter and renew at pleasure, and also to make, ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall appear necessary and convenient for the government of the corporation and for the management of its property, and the regulation of its officers and affairs, not being contrary to this charter, the laws of the United States or of this commonwealth, and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well-being of said corporation.

Title.

Powers and privileges.

Organization.

Subscriptions to stock.

Election of directors.

Management.

SECTION 2. That the above named persons are hereby constituted commissioners, who, or any five of them, shall or may, at any time within one year from the passage of this act, call a meeting of the commissioners, by giving two weeks' notice of the same in one or more newspapers published in the city of Wilkes Barre, at which meeting the commissioners shall organize and receive subscriptions to the capital stock of said company; each person subscribing for the same shall pay in cash at least ten per centum of their subscriptions, the residue to be paid in such instalments as by the by-laws of the corporation shall be directed; and when the amount of fifty thousand dollars shall have been subscribed, and ten per centum thereof paid in cash, then it shall be lawful for the said subscribers or stockholders to hold an election for directors, all of whom shall be stockholders and residents of this commonwealth; said directors shall elect a president, vice president and secretary, which shall constitute an organization.

SECTION 3. The affairs of said company shall be managed by a board of directors, consisting of thirteen stockholders,

to be elected annually, and such officers and agents as they shall appoint; a president, vice president, and secretary shall be elected annually by the directors, from their own number, and all vacancies happening in any of said offices shall be filled by the board for the remainder of the year for which they were elected, the board shall have power to declare what number of directors less than the whole shall constitute a quorum for the transaction of business, and the time and manner of paying assessments on the stock.

Vacancies.

Quorum of directors.

SECTION 4. The capital stock of said company shall consist of one hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, to be divided into shares of fifty dollars each, and there shall be paid into the treasury of said commissioners by each subscriber to the capital stock, at the time of subscribing, an instalment of five dollars on each share of stock by him or them so subscribed, out of which fund shall be defrayed such incidental charges and expenses as may be incurred by said commissioners, and the remainder shall be paid to the treasurer of the corporation as soon as the same shall be organized, and the officers chosen as hereinbefore mentioned; the residue of said stock shall be paid in such instalments and at such times as the by-laws of said corporation shall direct, and if any subscriber, his, her or their assignee or transferee, shall refuse or neglect to pay any instalment called for by the directors of said company for the space of sixty days after the same shall be payable, the amount previously paid on said stock shall become forfeited to the company, and said stock may be sold by the directors to any person, for such price as can be obtained for the same, or the directors may proceed at their option to collect from such delinquent stockholder the amount of such instalment with legal interest thereon, in the same manner as debts of like amount are now recoverable by law; the directors shall have power to require security on all stock subscribed and not paid in if they deem it expedient for the interest and safety of the company, and generally to adopt that course they think best calculated to advance the interest of the company.

Capital stock.

Failure to pay instalments.

Security on unpaid subscriptions.

SECTION 5. The said Excelsior Insurance Company shall have full power and authority to make contracts, and take risks against losses by fire or otherwise, on all kinds of buildings, merchandise and other property, either limited or perpetual, and further to effect insurance on vessels, cargoes and freights, and on merchandise and other property transported on sea, rivers, canals, lakes and railroads, and by steamboats, vessels, wagons or otherwise, and on railroad machinery and rolling stock, and to execute such contracts, agreements, policies and other instruments as shall or may be necessary to effect the same.

Power to insure.

SECTION 6. That the shares of stock of the said corporation shall be assignable and transferable only on the books of the corporation, according to such rules and regulations as the directors shall for that purpose ordain and establish, and not otherwise.

How shares transferable.

SECTION 7. That all policies of insurance, contracts, bargains, and other agreements authorized by this act shall be in

Policies, contracts, &c.

writing or print under the corporate seal of said corporation, and shall be signed by the president, or in his absence or inability to serve, or by the vice president or other officer in that event designated by the by-laws, and shall be duly attested by the secretary or other proper officer of said company, who may be in like manner designate, and being so signed and executed shall be binding and obligatory upon said corporation according to the true intent and meaning thereof.

Investment of capital, premiums and profits.

SECTION 8. That it shall be lawful for the said corporation to invest its capital, premiums and profits on real and personal security in bonds, notes, mortgages, ground rents, judgments, stocks and loans of the United States and state of Pennsylvania, and stocks or loans of any borough, city or institution incorporated by the laws of this commonwealth, and in other good securities, and to sell, transfer and change the same and re-invest the funds of said corporation when the directors shall deem it expedient; it shall also be lawful for said company to receive, purchase and hold any real or personal property, stocks or other securities, in payment of debts due them or to secure the same in any manner that the interest of said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to sell, assign and convey the same in fee simple or otherwise.

May receive property in payment of debts, &c.

Dividends.

SECTION 9. The directors shall, on the first Monday of January and July, in each and every year, declare a dividend of so much of the profits of the corporation as to them shall appear advisable, and the dividends so declared shall be paid to the respective stockholders agreeably to such rules and regulations as the directors shall make for that purpose, but the moneys received as premiums on risks, which shall be undetermined at the time of making such dividends, shall not be considered as part of the profits of the corporation, and no dividend shall be declared when the capital stock shall be reduced by losses or expenses until a sum equal to said diminution shall have been added to the capital.

Annual election for directors.

SECTION 10. The directors of said company shall be elected annually on the second Monday of January, between the hours of ten A. M. and two o'clock P. M., at the office of the company, and at all elections the votes of the stockholders shall be by ballot, either in person or by proxy, each stockholder to have one vote for each and every share of the capital stock held by him; no stockholder shall vote unless the whole sum due and payable on the share or shares by him or her held at the time of such election, shall have been fully paid and discharged; the directors elected at the organization of the company shall hold their office until the first annual election or until new directors shall have been chosen as herein provided

Votes.

Where business to be carried on.

SECTION 11. The business of said corporation shall be carried on at such place in the city of Wilkes Barre, Luzerne county, Pennsylvania, as the directors shall designate, and at such agencies out of said city as they may establish, with

power to establish agencies at such points as the directors of said company shall deem best.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1136.

An Act

To incorporate the Somerset and Mineral Point Railroad Company, approved March seventeenth, Anno Domini one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted, &c.*, That the Somerset and Mineral Point Railroad Company may establish, take and receive the rates of toll and other compensation, for the use of their road and motive power for the conveyance of passengers, the transportation of merchandise and commodities, and the cars and vehicles containing the same, hereinafter set forth, to wit: For passenger fare, not exceeding five cents per mile and every fraction thereof; for merchandise and commodities of first-class, not exceeding ten cents per hundred pounds for entire distance; of second-class, not exceeding eight cents per hundred pounds for entire distance, and of third-class, not exceeding six per centum per hundred pounds for entire distance, and for like freights per car load over the entire road, not exceeding ten dollars per car, and shall make reasonable deductions for way freight.

APPROVED—The 9th day of April, A. D. 1873.

JNO. W. GEARY.

No. 1137.

An Act

Empowering the trustees of the First Presbyterian Church of Meadville, and the city authorities thereof, to remove the interments remaining in the old burial ground in said city to Greenwood cemetery, and to sell or otherwise dispose of the ground thus occupied.

SECTION 1. *Be it enacted, &c.*, That the trustees, for the time being, of the First Presbyterian church of Meadville, Crawford county, are hereby authorized and empowered to

Trustees authorized to remove dead.

remove, at the cost of the church, the remaining interments in the grave-yard of one and a half acres, in the city of Meadville, conveyed by David Mead, July twenty-ninth, one thousand eight hundred and eleven, as proved and recorded the same day in deed-book D, page seventy-three, to William Denney, Joseph Hackney, and other trustees of the church aforesaid, to Greenwood cemetery, belonging to said city, with the gravestones and other monuments now attached or belonging to the respective graves, to be appropriately set up or fixed to the new interment in the cemetery.

City authorities
may also remove
dead.

SECTION 2. That the proper city authorities of the city of Meadville be and they are hereby authorized and empowered to remove in like manner the interments in the remaining portion of the grave-yard heretofore acquired by the citizens of Meadville from Jared Shattuck and wife, with the gravestones and other monuments, as required in the previous section, to Greenwood cemetery.

Sale of grounds au-
thorized.

SECTION 3. That when the trustees and city authorities aforesaid have severally removed the interments as above provided for, they may separately sell and convey, or otherwise dispose of the grounds thus vacated, to and for such uses and purposes as each may think best for their joint or separate interests.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1138.

A Further Supplement

To the act to incorporate the Wrightsville, New Holland and Conewago Railroad Company.

SECTION 1. *Be it enacted, &c.*, That the term limited by the third section of an act, entitled "An Act to incorporate the Wrightsville, New Holland and Conewago Railroad Company," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-three, be and the same is hereby extended two years from the seventeenth day of April, one thousand eight hundred and seventy-two, for commencing and six years for completing the said road; and it may be lawful for said company to build a branch road not exceeding four miles in length to stone quarries of Wm. M'Conkey and Daniel and Baltzer Beidler.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1139.

An Act

To incorporate the Mechanics' and Miners' Co-operative Loan Association of Scranton.

SECTION 1. *Be it enacted, &c.*, That Elisha Phinney, William Merrifield, George Coray, George Sanderson, J. M. C. Rink, J. G. Sanderson and C. Dupont Breck, of the city of Scranton, their associates, successors and assigns, are hereby created a body politic and corporate in law, under the name, style and title of the Mechanics' and Miners' Co-operative Loan Association, and by that name shall have perpetual succession, shall have a corporate seal, be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere; to make and put in force all such by-laws, ordinances and rules necessary for conducting the business of the association, and to carry into effect the provision of this enactment: *Provided*, The same are not inconsistent or at variance with the constitution and laws of the United States or of this commonwealth.

SECTION 2. That the purpose of this act is to organize and establish, in the city of Scranton, an association for the mutual benefit and assistance of its members; its capital or resources shall consist of two funds, active and reserve, the active to be derived from the contributions of members, the reserve from admission fees; its other resources may be derived from loans from its members, and money or securities received from them in trust; said association may make loans in behalf of the members, and make loans to its members only, who shall share equitably the net profits of the business of the association; the rate of interest to be charged or to be paid, may be fixed by agreement, or in the by-laws; that any resources or money of this association, not otherwise employed or required for use by the members, may be invested in bond and mortgage, or in such personal securities as shall be deemed appropriate and safe.

SECTION 3. That the real estate which it shall be lawful for the said association to hold, shall be only such as shall be required for the convenient transaction of its business, and such as it may find necessary to purchase at judicial sale or acquire to secure debts due it, and in the course of its legitimate business.

SECTION 4. That the business of said association shall be managed by at least five trustees, and not to exceed nine, who shall be elected annually by the shareholders; the annual election to be fixed in the by-laws; the trustees shall elect one of their number president, and shall also elect such other officers from the trustees or shareholders as they shall deem necessary, or that may be fixed in the by-laws; that until the first election of trustees, by the shareholders, the persons named

Corporators.

Title.

Powers and privileges.

Purpose.

Resources.

Loans.

Rate of interest.

Investments.

Real estate.

Management.

Election of trustees.

President and other officers.

Corporators first trustees. in the first section of this act, or a majority of them, shall constitute the board of trustees, to continue in office until their successors are duly elected and qualified, and may fill any vacancies occurring from resignation, death, or otherwise ; it shall be lawful for them to proceed and complete the organization of said association, and to ordain and establish by-laws and rules necessary for that purpose, until the first annual meeting of the members.

Vacancies.

Organization.

Qualification of members, value of shares, &c. SECTION 5. That the qualification of members, the value of shares, and the method for paying the same by contribution, the fees of admission, fines and penalties, may be prescribed in the by-laws and rules of the association.

APPROVED—The 9th day of April, A. D. 1872.
JNO. W. GEARY.

No. 1140.

An Act

To incorporate Fairlawn Street Railroad Company of Scranton.

Corporators. SECTION 1. *Be it enacted, &c.,* That Thomas Moore, Lewis Jones, A. J. Norman, John B. Smith, Frank D. Collins, Richard Stilwell, Frank B. Marsh, Thomas Collins, E. B. Sturges and A. W. Renshaw, or as many of them as shall become stockholders, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, with perpetual succession, by the name, style and title of the Fairlawn Street Railway Company of Scranton, and as such shall have the right to lay out and construct a railway, with one or more tracks, of not less than twenty-six nor more than thirty-six inches gauge, with such turn-outs, turn-tables and sidings as may be necessary, from a point at or near the depot of the Delaware, Lackawanna and Western railroad, in the city of Scranton, thence on Franklin avenue to Spruce street, thence upon Spruce street eastwardly to Jefferson avenue, thence along and upon Adams avenue to Gibson street, thence upon Gibson street eastwardly to Jefferson avenue, thence upon Jefferson avenue to the northerly line of the said city, near the coal works of Filer, Marsh and company, by such route as may be selected by the directors, to the corners, at or near Depuy's hotel, in the borough of Dunmore, thence along Chestnut street south-eastwardly to near the office of the Pennsylvania Coal Company, at number six, with such branches or extensions from the main line or either termini, not exceeding five miles in length, as may be deemed advisable by the directors ; and to cross at grade any other railway now or that may be here-

Title.

Construction of railway authorized.

Branches.

after constructed, and to carry passengers and freight along such routes and streets, avenues and alleys as may be used by said railway, and have the right to charge and collect such rates as the directors of said company may determine upon, and to equip and run said railway with dummy engines, or horses, or mules, and to purchase, hold and convey such real estate, and erect thereon such buildings and improvements as may be necessary for the purposes contemplated in this act.

May cross other roads at grade, carry passengers, &c.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of fifty dollars each, with the privilege of increasing the same, from time to time, as the directors may deem advisable; and that said company shall have power to borrow money in any amount not exceeding half the amount of its authorized capital stock, and for the purpose of securing the payment of the same, with such interest as may be agreed upon, to issue bonds and secure the same by mortgage upon the franchises and other property of the company: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, against the collection of which no plea of usury shall be interposed.

Capital stock.

May borrow money and issue bonds.

SECTION 3. That the commissioners hereinbefore named, or any three of them, with notice to the others, may proceed to organize said company and obtain subscriptions to the capital stock thereof, and after ten per centum has been subscribed and five per centum of said subscription paid to the attending commissioners aforesaid, the subscribers may proceed to elect a board of five directors, who shall serve until the first Tuesday in November following, or until their successors are elected; and the stockholders shall annually thereafter, on the first Tuesday in November, elect a like board of five directors to serve for one year, or until their successors are elected, and if for any reason said election be not held at the time indicated, then another election shall be appointed and held, after public notice of two weeks has been given by the president, in two newspapers published in the city of Scranton; and the directors shall have power to fill all vacancies in their board, whether from death or otherwise, but no person shall act as director who is not a stockholder.

Subscriptions to stock.

Election of directors.

Vacancies.

SECTION 4. That the company may commence said railway at any time within two years from the passage of this act, and the completion of one mile thereof shall perpetuate all rights hereby granted.

Commencement, &c.

SECTION 5. That the said directors shall have the power to appoint a president, treasurer, and such other officers as they may deem necessary, and prescribe the amount and nature of the security to be given by the treasurer and such other officers as may, by the by-laws, be required to give security for the faithful performance of their duties; and in all elections for directors and other meetings of the stockholders, each share shall entitle the holder thereof to one vote, but no stockholder or assign shall vote upon any share of stock on which any instalment is due and unpaid.

Powers of directors.

SECTION 6. That said company shall be subject to all the provisions, and entitled to all the rights and privileges of the act, entitled "An Act regulating railroad companies," ap-

Subject to.

proved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered or supplied by this act.

Bonus.

SECTION 7. That the said company shall pay a bonus to the state for the privileges hereby granted, of one-half of one per centum on its capital stock and increase thereof as paid in, payable in four equal annual instalments, the first whereof to be payable one year after the date of this act; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, to be sued for and recovered as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

Individual liability.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1141.

An Act

To incorporate the Chartiers Improvement Company, and to define the powers thereof.

Corporators.

SECTION 1. *Be it enacted, &c.,* That William M'Donald, James Walker, George H. Fetterman, Arthur Ballou and C. S. Fetterman, their associates, successors and assigns, or a majority of them, be and they are hereby authorized to form and be a body corporate, to be known as the Chartiers Improvement Company, and by that name, style and title to have perpetual succession and all the privileges and franchises incident to a corporation.

Name.

Powers, privileges, &c.

SECTION 2. That said corporation shall also have, exercise and enjoy the same rights, powers, privileges, franchises and immunities as are conferred in and by an act of assembly of this commonwealth, entitled "An Act to incorporate the Improvement and Co-operative Company of Philadelphia, Pennsylvania," approved the twelfth day of May, in the year of our Lord one thousand eight hundred and seventy-one, as if the same were herein specially and particularly set forth: *Provided*, That the seventh section of the recited act shall not apply hereto, but that said company shall have an office in the city of Pittsburg, and may have a general office or offices elsewhere: *Provided*, That said company shall not own more than five thousand acres at any one time.

May declare portion of stock fully paid.

SECTION 3. The said company may declare fully paid up, and not subject to future calls, so much of its said stock as may be appropriated to the payment of materials furnished,

labor performed or to be performed, expenses incurred and in payment of grounds and buildings purchased or leased.

SECTION 4. That the stockholders of said company, by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

Stockholders may
change name and
locate general
office.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1142.

An Act

Relative to the Farmer's Bone and Fertilizing Company.

WHEREAS, The Farmer's Bone and Fertilizing Company of Montgomery county has been organized during the present year under the general manufacturing law, upon a capital of fifty thousand dollars :

And whereas, It is desired to issue and sell thirty thousand dollars of said capital stock to the farmers and others using fertilizers as a preferred stock, in order to secure a greater working capital :

And whereas, There is no authority under the said general act, to issue such preferred stock ; therefore,

SECTION 1. *Be it enacted, &c.*, That the said company be and they are hereby authorized to issue and to sell six hundred shares, or any portion thereof, of the par value of fifty dollars per share, to be a preferred stock, and shall be so designated on the certificate, which shall entitle the holder or holders thereof to receive, during each year, the manufactured fertilizer, in such quantity and for such price per ton as may be mutually agreed upon between the preferred stockholders and the other stockholders, and subject to such rules and by-laws as shall define the eligibility of the preferred stockholders to become officers and directors of said company, and the ratio of votes which shall be exercised by each class of the stockholders, and as regards dividends and distribution of assets in case of dissolution, or for the redemption of said preferred stock, and also subject to prescribed rules and regulations to secure the manufacture of a good, reliable and pure fertilizer to the holders of the preferred stock, and further to define, from time to time, by the by-laws, the relative rights between each class of the stockholders, which by-laws shall not be inconsistent with the powers

herein granted, or with the provisions of the general manufacturing laws of this commonwealth, except so far as the general laws are herein modified ; and also with power to increase from time the capital stock of the company, by the issue of preferred or other stock, so as not to exceed the amount allowed by the general manufacturing laws of this commonwealth.

APPROVED—The 9th day of April, A. D. 1872.
JNO. W. GEARY.

No. 1143.

An Act

To incorporate the Delaware County Contract Company.

Corporators.	SECTION 1. <i>Be it enacted, &c.</i> , That George Baker, William B. Broomall, Edmund Jones, William Ward, Samuel A. Stevenson, or any three of them, their associates, successors and assigns, be and they are hereby authorized to form and be a body corporate to be known as the Delaware County Contract Company, with all the powers and privileges and subject to all the restrictions and liabilities given and imposed by act of general assembly of this commonwealth, approved the first day of December, Anno Domini one thousand eight hundred and sixty-nine, to and upon the American Contract Company: <i>Provided</i> , That the principal office of the company hereby incorporated shall be in the county of Delaware, and all publications of notices required shall be in newspapers published in said county.
Name.	
Powers, privileges, &c.	
Office.	
May adopt name.	SECTION 2. That the said corporation shall have power before transacting any business except effecting an organization to adopt any name and title that a majority of its stockholders may decide: <i>Provided</i> , That certificates of the name and title so adopted, duly attested by the president and secretary of said company, shall be filed in the office of the auditor general of this commonwealth and in the office of the recorder of deeds in the said county: <i>Provided</i> , The operations of this company shall be confined to the county of Delaware.
Restriction.	

APPROVED—The 9th day of April, A. D. 1872.
JNO. W. GEARY.

No. 1144.

An Act

To incorporate the Citizens' Gas and Water Company.

SECTION 1. *Be it enacted, &c.,* That Frank A. Beamish, P. M. Higgins, P. Blewitt and other associates or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate, by the name, style and title of the Citizens' Gas and Water Company, to be located in the city of Scranton, Luzerne county, Pennsylvania, and that the capital stock of said company shall consist of one thousand shares of fifty dollars each; and the said company shall have the right to supply the city of Scranton and vicinity, in Luzerne county, with gas and with water by pipes, and also to all such persons, partnerships, firms and corporations residing or doing business therein, as may desire the same, at such prices as may be agreed upon, and be subject to all the restrictions, and entitled to all the powers, rights, privileges of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and the several supplements thereto, except so far as it and they are altered or supplied by this act.

Corporators.

Title.

Location.

Capital stock.

Right to supply gas and water.

Subject to.

SECTION 2. That the said company shall have power by a vote of the majority of the stockholders, at a meeting convened for that purpose, to increase the capital stock to such an amount as may enable it to carry out the purposes of its organization.

May increase capital stock.

SECTION 3. That so much of any act of assembly as is inconsistent herewith be and the same is hereby repealed.

Repeal.

APPROVED—The 9th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1145.

A Supplement

To an act, entitled "An Act to incorporate the Deposit and Savings Bank," approved May twenty-sixth, one thousand eight hundred and seventy-one, providing for the election of an additional director and changing the name of said bank.

SECTION 1. *Be it enacted, &c.,* That the name of the Deposit and Savings Bank, incorporated by act approved May

Name changed.

twenty-sixth, one thousand eight hundred and seventy-one, be and the same is hereby changed to Cattawissa Deposit Bank.

Number of directors increased.

SECTION 2. That the number of directors of said bank be increased from six to seven, the additional director to be chosen by the present board, and to serve until the next annual election.

APPROVED—The 12th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1146.

An Act

To incorporate the Citizens' and Miners' Savings Bank and Trust Company.

Corporators.

SECTION 1. *Be it enacted, &c.,* That W. W. Winton, Thomas Livey, Daniel Silkman, John B. Gillispie, Silas Osterhout, H. O. Silkman and A. B. Dunning, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name of the Citizens' and Miners' Saving Bank and Trust Company, and by that name they shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, and to alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment and to promote the object and design of this act of incorporation, to be located in the city of Scranton, county of Luzerne: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained.

Name.

Privileges.

Location.

Misnomer.

Purpose.

Business.

SECTION 2. That the purpose of this act is to organize and incorporate a savings bank and trust company; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum of money, not less than one dollar, and to transact any other business transacted by banks in this commonwealth, and to receive and become the depository of all trusts and such other funds that may be paid into or be under the control of the several courts of this state and the laws of the same: *Provided*, That the said courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to depositors, with interest, at such rates as may be fixed annually by the directors, in lawful money,

Payment of deposits.

national bank notes or notes of solvent banks incorporated in this state, at par, in sums not less than one dollar when required during business hours: *Provided*, That deposits by married women and minors may be repaid to them, and such repayments made upon their orders, checks or receipts shall discharge said corporation from any further claims for the same, and deposits so made by married women or minors shall not at any time be subject to the claim or demand of or payable to the husband of said married woman or the parent or guardian of such minors.

Deposits by minors and married women.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may become associated with them as stockholders in the company incorporated, to raise and form a capital of one hundred thousand dollars, to be divided into shares of one hundred dollars each, and paid in as shall be required by the board of directors; but said stock shall be subscribed, and one-half thereof shall be paid in, before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof as they shall from time to time elect, to any amount not exceeding five hundred thousand dollars: *Provided*, That the stockholders at the time of such increase shall each be entitled to a *pro rata* share of such increase, upon the payment of the par value thereof; said right to be forfeited if not availed of within ten days of the time fixed for the subscription by public notice.

Capital stock.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth, or of the United States, or other stocks and bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe.

Investment of funds.

SECTION 5. That the directors shall have power, by their by-laws, to prescribe the form of certificate to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe, but the whole number of directors shall at no time exceed nine.

Certificate to depositors, mode of electing directors, &c.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day, within twelve months from the passage of this act, as a majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers, seven directors to manage the affairs of the said corporation; said directors shall choose from their own number a president and vice president, and may appoint and revoke at will such other officers as they shall deem necessary; said directors, president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all of the rights, powers and privileges which are intended to be hereby given.

Meeting of corporators.

Purpose of meeting.

President and other officers.

SECTION 7. That the real estate which it shall be lawful for said corporation to hold, shall be only such as is requisite for

Real estate.

Expenses of searches, &c., to be paid by borrower.

Interest on deposits.

Dividends.

Receiving deposits after depreciation of assets.

Shares transferable

Votes.

Failure to pay instalments.

Books to be open to inspection.

Officers and agents to give security

the accommodation and convenient transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise, to secure debts due it; and that in all cases of loans upon real estate, the expenses of searches, examination of certificates and recording papers shall be paid by the borrower.

SECTION 8. That the directors, at their first regular meeting in January of each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposit shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest to be allowed for the fraction of a month.

SECTION 9. That it shall be the duty of the directors of said corporation, on the first Monday in January and July in each year, to make and declare out of the net proceeds and profits of the business of said corporation, a dividend of so much thereof as they may deem best, and the same to pay over to the stockholders or legal representatives within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposit after the assets of the said corporation shall have become depreciated in cash value, below the whole amount of deposits with said corporation, and the debts of the same, and fifty per centum of the capital paid in, they shall become and be, and so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors with and creditors of said corporation for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

SECTION 10. That the shares of said corporation shall be transferable on its books, in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote in person or by proxy, for each and every share of stock by said stockholder then owned; that if any person or persons shall subscribe to the original or the increased stock of said corporation and shall omit to pay any instalment of the same, for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber and the stock by him or her subscribed for shall be forfeited to said corporation, and the directors of the said corporation may sell and dispose of the said stock as they may deem most advantageous to said corporation; that the books of said corporation, shall at all times during business hours, be open for the inspection of such agents as the legislature shall appoint for that purpose.

SECTION 11. That the officers and agents of the said corporation, upon entering upon the discharge of their duties, shall give bonds in such an amount, as the directors shall fix for their fidelity and good conduct, and for the safe keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others, and that the directors of said corporation may require an increase of the amount

of said bonds whenever they may deem it necessary; that such portion of the by-laws and regulations of said corporation as relate to the receipt and payment of said deposits and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

Portions of by-laws to be put up in office.

SECTION 12. That this charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the corporators: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Limitation.
Reservation.

Bonus and taxes.

SECTION 13. The stockholders shall be individually liable to the depositors and other creditors and for the performance of all trusts undertaken by said bank to the amount of double the stock subscribed for or held by them severally.

Individual liability.

APPROVED—The 13th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1147.

An Act

To incorporate the Hemlock Improvement Company.

SECTION 1. *Be it enacted, &c.*, That S. E. Kincaid, Ed. W. Hatch and Henry Bress, their associates, successors and assigns, be and are hereby created into a body politic and corporate, under the name of the Hemlock Improvement Company, by which name they shall have perpetual succession, and have a common seal, sue and be sued, implead and be impleaded, and enjoy all privileges pertaining to a corporation under the laws of this commonwealth.

Corporators.

Name.

Privileges.

SECTION 2. That the corporation hereby created shall have power to contract with any persons or corporations whatever, to construct, maintain or manage any work, public or private, and supply all materials, labor and fixtures of any kind whatever on such terms as may be agreed upon, and have full power to hold and own securities of any form as collateral or otherwise, and dispose of the same at pleasure, and shall have power to hold, own and dispose of such other personal or real estate as a majority of the stockholders of said corporation may at any time approve.

Corporate powers.

SECTION 3. The capital stock of said company shall consist of one thousand shares of stock of the value of twenty-five dollars each, with privilege to increase the same by a majority of the stockholders at any annual or special meeting,

Capital stock.

to such amount as they may from time to time deem needful, not more than double said amount; and the corporators, or a majority of them, named in the first section of this act, may open books for subscriptions at such times and places and for such sums as they may deem expedient; and when not less than one hundred shares have been subscribed, and ten per centum thereon shall have been paid in, the shareholders may elect not less than five or more than nine directors, to serve until the next annual election or until their successors shall be duly elected; and the directors (of whom a majority shall be a quorum) of said company, when it shall have been organized, may and they are hereby empowered to have and exercise, in the name of the company, all the rights and privileges which are hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to a *pro rata* share of such increase upon the payment of the par value of the same.

SECTION 4. The said company may locate its offices in the counties of Warren, Forest or M'Kean as may be determined by a vote of the stockholders, and may hold and enjoy to them and their successors, any real estate not exceeding four hundred acres within said counties, and not exceeding a like amount out of said counties; and said company may improve all and any land held by them and erect any saw-mills, build-ings or storehouses upon the same, and from time to time may by deed or other conveyance, sell or grant or dispose of the same or any part thereof, on such terms as they may deem proper, in fee simple or any less estate, and said company shall also have authority for the purchase, storage, carriage, sale and exchange of lumber or other chattels and property whatsoever, and may build and construct such railroad or plank road or other improvement as may connect their works or lands with any railroad or plank road now built or to be built: *Provided*, That any railroad built under this authority shall not exceed five miles in length, and said company may use and operate the same in such mode as said directors may deem expedient; and in the location or construction of any road or improvement, said corporation shall also have the power granted by act of May fifth, Anno Domini one thousand eight hundred and thirty-two, entitled "An Act regulating lateral railroads," and said company may move, convey, forward or transport by such route, improvement or mode as they may deem expedient, any commodity from any of their lands to any railroad within five miles distance, or to any landing on any navigable stream or depot whatever, and in so doing may at their option use or occupy any route theretofore laid out or occupied under any of the provisions of this act; and any damages to property, resulting from the use or occupation of the lands of others, shall be estimated in the mode provided in the act to incorporate the Osceola Improvement Company, and the act amending the same, ap-

Subscriptions.

Election of direc-
tors.Power and autho-
rity of directors.Right of stock-
holders in case of
increase of capital
stock.

Office.

Further powers of
company.Damages to pro-
perty, &c.

proved April eighteenth, one thousand eight hundred and sixty-seven, all of the provisions of which last named act being hereby extended to this act.

SECTION 5. Said company shall pay a bonus of one half of one per cent on said capital stock in four equal annual installments, and may borrow money on bonds, secured by mortgage, and pay interest not exceeding eight per centum, and the stockholders shall, in the mode prescribed by the by-laws, annually elect a board of directors, and until said election, said corporators, or a majority of them, may adopt by-laws, and have and exercise all the powers of directors; the directors shall elect a president and such officers as they may choose and fix their compensation, and to locate or remove the office of the company at or to such other place as they may deem expedient.

Bonus.

May borrow money

Annual election of directors, &c.

APPROVED—The 13th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1148.

An Act

Authorizing the sale of certain real estate bequeathed to Jane Ayres.

SECTION 1. *Be it enacted, &c.*, That Bucher Ayres and Jane Ayres be and they are hereby authorized and empowered to sell at public or private sale, the farm and wood lots situated in Ferguson township, Centre county, devised to the said Jane Ayres, and more particularly described by codicil, number two, to the will of John Lyon, deceased, said codicil being dated the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-four, and to invest the proceeds in real estate in the city of Philadelphia, in United States or Pennsylvania state loans or in Pennsylvania railroad first mortgage bonds, in trust, for the benefit of the persons entitled to the same under the said will: *Provided*, That before this act shall become operative the said Bucher Ayres shall give bond, to be approved by the orphans' court of Philadelphia, for faithful application of the same.

APPROVED—The 13th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1149.

An Act

To incorporate the Dunmore Bank.

Corporators.	SECTION 1. <i>Be it enacted, &c.</i> , That John B. Smith, Thomas Collins, A. Horan, A. J. Norrman, Frank A. Beamish, George Filer, P. M. Higgins, and all other persons who shall hereafter become stockholders in the company incorporated, shall be
Name.	and they are hereby created a body corporate, by the name of the Dunmore Bank; and by that name they shall be capable
Powers and privileges.	by law to hold and dispose of property, to sue and be sued, in any court whatever, to make, have and use a common seal, and to alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the borough of Dunmore, county of Luzerne: <i>Provided</i> , That a misnomer of this corporation, in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained.
Misnomer.	
Purpose.	SECTION 2. That the purpose of this act is to organize a savings bank; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum of money not less than one dollar, and to transact any other business transacted by banks in this commonwealth; and to receive and become the depository of all trusts, and such other funds that may be paid into or under the control of the several courts of this state and the laws of the same: <i>Provided</i> , That the said courts shall be satisfied of the security of the said depository: <i>Provided however</i> , That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors with interest, at such rates as may be fixed annually by the directors, in lawful money, national bank notes or notes of solvent banks incorporated in this state, at par, in sums not less than one dollar, when required during business hours: <i>Provided</i> , That deposits by married women and minors may be repaid to them, and such payment made upon their orders, checks or receipts, shall discharge said corporation from any further claims for the same; and deposits so made by married women or minors shall not at any time be subject to the claim or demand of or payable to the husband of said married woman or the parent or guardian of such minors.
Business.	
Payment of deposits.	
Deposits by married women and minors.	
Capital stock.	SECTION 3. That for the security of the depositors of the said corporation it shall be the duty of the persons named in the first section, and such others as may become associated with them as stockholders in the company incorporated, to raise and form a capital of one hundred thousand dollars, to be divided into shares of one hundred dollars each, and paid

in as shall be required by the board of directors; and said stock shall be subscribed; one-half thereof shall be paid in before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof as they shall from time to time elect, to any amount not exceeding five hundred thousand dollars: *Provided*, That the stockholders at the time of such increase shall each be entitled to a *pro rata* share of such increase, upon the payment of the par value thereof; said rights to be forfeited if not availed of within ten days of the time fixed for the subscription, by public notice.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth or of the United States, or other stocks and bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe: *Provided*, That the interest charged shall not exceed the legal rate.

Investment of funds.

Interest not to exceed legal rate.

SECTION 5. That the directors shall have power by their by-laws to prescribe the form of certificates to be issued to depositors and the mode of making them transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe, but the whole number of directors shall at no time exceed nine.

Certificate to depositors, mode of electing directors, &c.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day within twelve months from the passage of this act as a majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation and choosing from among the subscribers seven directors to manage the affairs of the said corporation; said directors shall choose from their own number a president and vice president, and may appoint and remove at will such other officers as they shall deem necessary; said directors, president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all the rights, powers and privileges which are intended to be hereby given.

Meeting of corporators.

Purpose of meeting.

Officers.

SECTION 7. The real estate which it shall be lawful for said corporation to hold, shall be only such as is requisite for the accommodation and convenient transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise to secure debts due it, and that in all cases of loans upon real estate the expenses of searches, examination of certificates and recording papers shall be paid by the borrower.

Real estate.

Expenses of searches, &c., to be paid by borrower.

SECTION 8. That the directors, at their first regular meeting in January of each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed for the fraction of a month.

Interest on deposits.

SECTION 9. That it shall be the duty of the directors of said corporation, on the first Monday in January and July in each year, to make and declare out of the net proceeds and

Dividends.

Receiving deposits after depreciation of assets.	profits of the business of said corporation, a dividend of so much thereof as they may deem best, and the same to pay over to the stockholders or legal representatives within ten days thereafter: <i>Provided</i> , That if the directors shall declare and pay any dividend from any source whatever other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposit after the assets of the said corporation shall have become depreciated in cash value below the whole amount of the deposits with said corporation and the debts of the same, and fifty per centum of the capital paid in, they shall become and be, and so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors with and creditors of said corporation for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.
Shares transferable.	SECTION 10. That the shares of said corporation shall be transferable on its books in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote in person or by proxy for each and every share of stock by said stockholder then owned; that if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay any instalment of the same for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of the said corporation may sell and dispose of the said stock as they may deem most advantageous to said corporation; that the books of said corporation shall, at all times during business hours, be open for the inspection of such agents as the legislature shall appoint for that purpose.
Votes.	SECTION 11. That the officers and agents of the said corporation, upon entering upon the discharge of their duties, shall give bonds in such an amount as the directors shall fix for their fidelity and good conduct and for the safe-keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others; and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portion of the by-laws and regulations of said corporation as relate to the receipt and payment of said deposit, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.
Failure to pay instalments.	SECTION 12. That this charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: <i>Provided however</i> , That no injustice shall be done to the corporators: <i>And provided further</i> , That the said corporators shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.
Books to be open for inspection.	
Officers and agents to give security.	
Portions of by-laws to be put up in offices.	
Limitation.	
Reservation.	
Bonus and taxes.	

SECTION 10. Each stockholder shall be individually liable to the depositors and other creditors in said bank in double the amount of capital stock held by him or her. Individual liability.

APPROVED—The 13th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1150.

An Act

To authorize Yarnall Hallowell and John J. Hallowell, surviving trustees, both of Abington township, in the county of Montgomery, to sell and convey certain real estate.

WHEREAS, Joshua Morris and wife, by a certain indenture, dated the twenty-sixth day of April, Anno Domini one thousand seven hundred and nine-two, did convey a certain lot of ground situate in Moreland township, and county of Montgomery, to be used for school purposes, unto John Hallowell, Isaac Cadwallader, Isaac Warner and Isaac Roberts, and the survivors and survivor of them, and their heirs and assigns, of such survivors or survivor forever, (said deed is recorded at Norristown, in deed book, number twenty-nine, page one hundred and five, et cetera,) in trust, nevertheless for the uses, intents and purposes hereinafter mentioned; that they, the said trustees, and their successors in the trust, shall and will, at all times hereafter, grant and allow the members of the said school, called Moreland school, to have, use and occupy the aforesaid premises, and that they, the said trustees, nor their successors in the trust, nor any of them, shall claim any right, title or interest in the premises aforesaid, or stand seized thereof, but for the uses, intents and purposes therein mentioned, and that they, the said trustees, and their successors in the trust, and every of them, shall and will grant and allow such persons and person as shall or may be from time to time appointed by the members of the religious society of Friends, at their meeting held at Abington for the purpose, to visit and inspect the said school, which shall be subject to such rules and regulations as they shall, from time to time, forever hereafter order and direct; and also that they, the said trustees, or the survivors or survivor of them, shall, by the direction of the members of the said religious society, and at their proper costs and charges, make, do and execute all such further reasonable acts and deeds, conveyances and assurances in the law whatsoever, for the better and more effectual declaring the trust aforesaid, or for the transferring their estate and trust in the premises or any part or parts thereof, to any other person or persons to be appointed by the members of the said religious society, being first approved by Abington

meeting aforesaid, and to their heirs and assigns forever, to and for the several uses, intents and purposes aforesaid, and further that they, the said trustees, or their successors, may grant and allow any person or persons not members of the said religious society, to send their children to the said school, (which is to be at the option of the said trustees,) subject to the rules and regulations thereof, but that they shall have no right or interest whatever, of, in or to the said school.

And whereas, The said Isaac Warner and Isaac Roberts, surviving trustees, did, by and at the request of Abington meeting aforesaid, convey the aforesaid premises unto Thomas Fletcher, Benjamin Rowland, Isaac Hollowell, Israel Hollowell and Samuel Rowland, in trust, by deed, dated the twenty-fifth day of February, Anno Domini one thousand eight hundred and thirteen, recorded at Norristown, in deed book number twenty-nine, page five hundred and eighteen, et cetera; and the said Israel Hollowell and Samuel Rowland, the surviving trustees, did also, at and by the request of the said Abington meeting, convey the said premises unto Yarnall Hollowell, John Smith, James Fenton, John R. Hollowell, and John J. Hollowell and Levis Levis, by deed, dated the fifth day of October, Anno Domini one thousand eight hundred and thirty-three, recorded at Norristown, in deed book number forty-nine, page four hundred and forty-two, et cetera:

And whereas, The said school house erected thereon has long since become unfit for occupancy, and there having been no school held there, nor any use for a school in accordance with the trust, in that locality for years; therefore,

SECTION 1. *Be it enacted, &c.,* That Yarnall Hollowell and John J. Hollowell, the surviving trustees aforesaid, be and they are hereby authorized and empowered to sell the aforesaid premises, either at public or private sale, and to convey in fee simple, clear of all incumbrance, and discharged of all trust, and without any liability on the part of the purchaser or purchasers thereof: *Provided however,* That the purchase money arising therefrom be paid over to the trustees of Abington Friends' school, to be used by them and their successors for school purposes forever.

APPROVED—The 13th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1151.

An Act

To incorporate the Temperanceville and West Pittsburg Savings Bank.

Corporators.

SECTION 1. *Be it enacted, &c.,* That William H. Singer, David Robinson, Walter Furguson, John Appel, Park Pain-

ter, William E. Brandon, Robert S. Hemiup, James W. Balantine, William Allen, John A. Wood, John W. Kreps, George B. Johnston, Andrew B. Young, and their associates and successors, shall be and they are hereby created a body politic and corporate by the name and style of the Temperanceville and West Pittsburg Savings Bank, to be located in the borough of West Pittsburg, in the county of Allegheny, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatever, may have a common seal, and may renew or alter the same; and may also have the right to own and hold real estate, and may improve or dispose of the same at pleasure.

Name.

Powers and privileges.

SECTION 2. The capital stock of the said bank shall consist of five hundred shares of the value of two hundred dollars each, or one thousand shares of the value of one hundred dollars each, as the stockholders may determine.

Capital stock.

SECTION 3. When two hundred shares or more of the capital stock of the said bank shall have been subscribed and fifty per centum thereon of the same paid in, the stockholders may elect a board of thirteen directors to serve until the next annual election, or until their successors shall have been duly elected and qualified. Vacancies arising from death, resignation or inability to serve, to be filled by the board.

Election of president and directors.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, either foreign or domestic, any promissory note or other negotiable paper, at a legal rate of interest, and receive the interest in advance; and shall also have the right to hold in trust, as collateral security for loans, advances or discounts, any estate, real, personal or mixed, including the notes, bonds, obligations and accounts of the United States, or any state, individual or corporation, and dispose thereof for the benefit of the said bank or for the payment of the debts for which the same may be held as security on collateral, and for such price and such terms as the directors may deem most desirable.

Banking privileges.

SECTION 5. The said bank may receive money on deposit, either with or without interest payable thereon, and may buy or sell bills of exchange, promissory notes, bills of lading, bonds of any corporation in the county of Allegheny, the bonds of any of the states or the United States, or other good and sufficient securities, at such rate as may be agreed upon.

Further banking privileges.

SECTION 6. The said bank may lend money on bond and mortgage on any real estate in Allegheny county at a legal rate of interest.

May loan on bond and mortgage.

SECTION 7. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the constitution and laws of this state or of the United States.

By-laws.

SECTION 8. The board of directors shall have power to require the payment of any amount remaining unpaid on the stock of said bank at such times, not oftener than once in

Payment of amounts remaining unpaid on stock.

thirty days, and in such proportion not greater than three per centum, as they may think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

Dividends.

SECTION 9. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders, at such times and at such amounts as to them shall seem proper.

Annual election.

SECTION 10. The annual election for directors shall be on the second Tuesday of January of each year, unless changed by the laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank; stockholders shall be entitled to one vote for each share of stock held by them, and may vote either in person or by proxy, but such proxy must be made and dated within three months of and five days prior to the election for which such proxy was given, and ten days' notice shall be given by publication in the city of Pittsburgh, of the time and place where such elections will be held.

Officers and agents

Votes.

Notice of elections.

Deposits by minors and married women.

SECTION 11. It shall be lawful for said bank to receive money on deposit from minors and married women, or in their behalf, and payment of the money so deposited to the minors and married women depositing the same, or in whose behalf the same has been deposited, shall be good and valid payments, and fully protect said bank from any other person or persons claiming said moneys.

Individual liability.

SECTION 12. The stockholders shall be individually liable for the debts of the bank equal to double the amount of stock subscribed for and held by them.

Limitation.

Reservation.

SECTION 13. This charter shall continue for twenty years, and the legislature reserves the right to alter, annul or revoke this charter at any time the interest of the commonwealth may require it: *Provided however*, That no injustice be done to the corporators.

APPROVED—The 13th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1152.

A Supplement

To an act, entitled "An Act to incorporate the Black Lick Navigation and Improvement Company," approved June nineteenth, one thousand eight hundred and seventy-one.

Section four amended.

SECTION 1. *Be it enacted, &c.*, That so much of section four as relates to the words "all tributaries of the Conemaugh river," shall read "and all other tributaries of the Black Lick creek."

SECTION 2. That the said Black Lick Navigation and Improvement Company shall have power to purchase and lease timber land, to take stumpage or purchase timber delivered on the banks of said streams, and to manufacture lumber.

May purchase timber land, take stumpage, &c.

SECTION 3. The said company is empowered to erect piers, and make such other improvements at convenient points on said streams as may be found necessary for the securing and holding of all timber floated in pursuance of the above act, and that for timber so secured they shall be entitled to charge the one-tenth of one cent per foot board measure.

May erect piers, &c.

Charge for timber secured.

SECTION 4. That so much of section five as relates to the words "not exceeding the rate of one and one-half cents per mile," shall read "not to exceed two and one-half cents per mile."

Section five amended.

SECTION 5. That all acts or parts of acts inconsistent with the law to which this is a supplement, be and are hereby repealed. That this act shall not give the company incorporated by the act to which this is a supplement, any right to interfere with the rights and privileges of the Two Lick Navigation and Improvement Company, on Two Lick creek, and in erecting piers, and making such other improvements as authorized by the third section of this act; no injury shall be done to any private rights in the water power of the said streams or to private property along the same.

Repeal.

Not to interfere with rights of certain company.

Private rights or property not to be injured.

APPROVED—The 13th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1153.

A Supplement

To the act to incorporate the Peabody Mutual Life Insurance and Trust Company of Pennsylvania, changing the name, style and title of said company, et cetera.

SECTION 1. *Be it enacted, &c.*, That from and after the passage of this act the name, style and title of the Peabody Mutual Life Insurance and Trust Company of Pennsylvania, incorporated the seventeenth day of June, Anno Domini one thousand eight hundred and seventy, be and the same is hereby changed to that of Peabody Bank.

Name changed.

SECTION 2. That deposits made by minors or married women to this incorporation may be repaid to them, and their receipts shall be a discharge of said corporation from any further claims for the sum so repaid.

Deposits by minors and married women.

APPROVED—The 13th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1154.

An Act

To incorporate the Logan Bank.

Corporators.

SECTION 1. *Be it enacted, &c.,* That George Bates, Franklin Kline, James R. Burns, William Fields, C. P. Dull, George Macklin, William Mann, George Blymire and John B. Sillhammer, together with such other persons as shall become stockholders in the bank hereinafter mentioned, shall be and are hereby created a corporation and body politic by the name, style and title of the Logan Bank, to be located in the town of Lewistown, in the county of Mifflin, and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal and renew and alter the same at pleasure, and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain to them and their successors, such real estate as may be necessary for the transaction of their business, together with such as may be held by said bank as security for debts or in satisfaction thereof, and the same to grant, mortgage or demise, also to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of the state or of the United States.

Title.

Location.

Powers and privileges.

Capital stock.

SECTION 2. That the capital stock of said bank shall be fifty thousand dollars, with the right to increase the same to three hundred thousand dollars by a vote of the directors, to be divided into shares of one hundred dollars each, which shall be paid in such instalments as the said bank may direct in its by-laws.

Subscriptions.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock, at such times and places as they may deem expedient; and when five hundred shares of said stock shall have been subscribed, and fifty per centum thereon of the same paid in, the shareholders may elect a president and nine directors to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve, to be filled by the board: *Provided*, That no person shall be elected president or directors of said bank who is not a stockholder.

Election of president and directors.

Vacancies.

Directors to be stockholders.

Management.

Cashier and other officers.

SECTION 4. That the affairs of said bank shall be conducted by the president and directors aforesaid; said president and directors, or a majority of them, shall elect a cashier and such other officers as they may deem necessary, and fix the compensation for the same; and all officers shall give bonds to the corporation with sufficient sureties, in such sums as may be required by said board, for the performance of their several duties; the officers so elected to be subject to re-

removal by the board of directors, if in their judgment such removal would be to the interest of the corporation.

SECTION 5. The said bank shall have power to borrow money, but not in excess of the capital paid in, and to loan money for such period or periods as the said bank may think proper; may discount any bill of exchange, foreign or domestic, promissory notes or other negotiable paper, and the legal rate of interest may be received in advance; and shall have the right to hold in trust, or as collateral security for loans, or advance, or discounts, estates, real or personal, or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations; and to purchase, collect and adjust the same, and to dispose thereof for the benefit of said bank, or for the payment of the debts as security for which the same may be held, in any market of the world.

Banking privileges.

SECTION 6. It shall be lawful for the said bank to receive deposits of money from individuals or corporations, either with or without interest payable thereon; and may buy or sell bullion, tax, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states, and of the United States, or other good and sufficient securities, at such rates as may be agreed upon.

Further banking privileges.

SECTION 7. Said bank may receive the deposits of married women and minors, and to pay the same upon their orders, checks or receipts, which shall discharge the said corporation from any further claim for the same, and deposits so made by married women and minors shall not at any time be subject to the claim or demand, or be payable to the husband of said married woman, or the parent or guardian of such minor.

Deposits by married women and minors.

SECTION 8. The board of directors shall have power to require payments of any amount remaining unpaid upon the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

Payment of amounts remaining unpaid on stock.

SECTION 9. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders, at such times and in such amounts as to them may seem proper.

Dividends.

SECTION 10. An election of president and directors shall be held annually, on such days as may be fixed by the by-laws; stockholders shall be entitled to one vote for each share of stock, or may vote in person or by a written proxy, but said proxy must be dated not less than five days nor more than six months prior to the time of holding the election for which such proxy was given; notice of such election to be given in at least one newspaper in Lewistown for three weeks.

Annual election.

SECTION 11. This charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same whenever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Limitation.
Reservation.

Bonus and taxes.

Individual liability.

SECTION 12. The stockholders in said bank shall be individually liable in double the amount of their stock for the debts of the bank.

APPROVED—The 17th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1155.

A Further Supplement

To the act incorporating the Middle Creek Railroad Company, approved March twenty-third, Anno Domini one thousand eight hundred and sixty-five, and the supplement thereto, changing the name thereof to the Sunbury and Lewistown Railroad Company, approved the seventeenth day of February, Anno Domini one thousand eight hundred and seventy.

Second and third sections of act of 9th April, 1856, applicable to.

SECTION 1. *Be it enacted, &c.*, That the provisions of the second and third sections of the act of assembly, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "A supplement to an act, entitled 'An Act regulating railroad companies,' approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine," are hereby made applicable to the said Middle Creek, now the Sunbury and Lewistown Railroad Company, and are to have the same effect as though they had been made part of the said act of assembly, approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five, incorporating said railroad company.

How third section to apply.

SECTION 2. That said third section shall apply to all proceedings now pending to ascertain the damages any person or persons may have sustained by reason of the location and construction of said railroad; should there be an appeal filed from the report of viewers, in the proceedings aforesaid, before the passage of this act, said appeal is hereby legalized and made valid, and shall be entitled to all the provisions and advantages, and subject to all the restrictions of said third section mentioned in this act.

How act to apply.

SECTION 3. That this act shall apply to all cases of proceedings to ascertain damages pending at the time of the passage hereof.

APPROVED—The 26th day of April, A. D. 1872.

JNO. W. GEARY.

No. 1156.

A Supplement

To an act, entitled "An Act to incorporate the State Bank of Delaware County," approved —, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted, &c.*, That the second and fourth provisos to the first section of the act to which this is a supplement be and the same are hereby repealed. Certain provisos repealed.

SECTION 2. That each stockholder shall be individually liable in an amount equal to his respective capital stock in addition thereto; and all the powers and privileges conferred, and the restrictions imposed by the second section of the act of general assembly, approved March fifteenth, one thousand eight hundred and seventy-one, incorporating the Bank of Brandywine, are hereby added, extended and imposed on the said State Bank of Delaware County. Liability of stockholders.
Powers and restrictions.

SECTION 3. That the said bank shall have the same powers, and be liable to the same restrictions, respecting the receiving and holding on deposit and in trust, real and personal estate, and insuring the same, as are conferred and imposed on the Fidelity Insurance, Trust and Safe Deposit Company of the city of Philadelphia, by the laws of this commonwealth. Additional powers and restrictions.

APPROVED—The 28th day of May, A. D. 1872.

JNO. W. GEARY.

No. 1157.

An Act

Authorizing the examination and payment of the claim of S. W. Heintzleman, deceased.

WHEREAS, The claims of S. W. Heintzleman, (now deceased,) late of the county of Franklin, which was adjudicated under the eighth section of the act of sixteenth of April, one thousand eight hundred and sixty-two, entitled "An Act to provide for the adjudication and payment of certain military claims," and was duly certified by the commissioners, (William H. M'Dowell and C. M. Burnett,) who were appointed under and by virtue of said act for the county of Franklin, but which statement of claim, for the reason that it was mislaid in the office in Chambersburg, was not filed with other and similar claims at the time, at the office of the auditor general:

And whereas, In pursuance of and in accordance with the provisions of the acts of assembly, all this class of claims in Franklin county has been settled by the state except this one; therefore,

SECTION 1. *Be it enacted, &c.*, That the auditor general and state treasurer are hereby authorized and required to examine whether any portion or all of the damages adjudicated in favor of S. W. Heintzleman, arising out of the occupation of his lands and tenements by the state troops during the late war, under the eighth section of the act of April sixteenth, one thousand eight hundred and sixty-two, entitled "An Act to provide for the adjudication and payment of certain military claims," are properly chargeable to the state of Pennsylvania, and to certify the amount, if any be due; and the auditor general is hereby authorized and required to draw his warrant upon the state treasurer in favor of Martin Heintzleman for the same so certified, which shall be paid out of any funds in the treasury not otherwise appropriated: *Provided*, Said amount shall not exceed one thousand dollars.

APPROVED—The 3d day of July, A. D. 1872.

JNO. W. GEARY.

No. 1158.

An Act

To repeal an act, entitled "An Act regulating the mode of voting at all elections in the several counties of this commonwealth, approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty-six," so far as the same relates to the county of Monroe.

SECTION 1. *Be it enacted, &c.*, That an act regulating the mode of voting at all elections in the several counties of this commonwealth, approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty-six, be and the same is hereby repealed, so far as it relates to the county of Monroe.

APPROVED—The 6th day of September, A. D. 1872.

JNO. W. GEARY.

No. 1159.

An Act

To incorporate the Real Estate Savings Bank of Harrisburg.

SECTION 1. *Be it enacted, &c.*, That David Mumma, John D. Snyder, Isaac Mumma, John S. Detweiler and John E. Parsons, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name, style and title of the Real Estate Savings Bank of Harrisburg, and by that name they shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, and to alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the city of Harrisburg, and county of Dauphin: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same if the intent of the parties can be clearly ascertained.

Corporators.

Title.

Powers and privileges.

Misnomer.

SECTION 2. That the purpose of this act is to incorporate and organize a savings bank, loan and trust company; that the business of said corporation shall be, receive on deposit from all persons who shall offer the same any sum or sums of money not less than one dollar, and to transact any other business transacted by banks in this commonwealth, and to receive and become the depository of all trusts and such other funds that may be paid into or be under the control of the several courts of this state and the laws of the same within the said county of Dauphin: *Provided*, The said courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors with interest, at such rate as may be fixed annually by the directors, in lawful money, national bank note or notes of banks incorporated in this state, at par, in sums not less than one dollar, when required during business hours: *Provided*, That unless otherwise agreed at the time of making the deposit, not more than twenty-five dollars shall be required to be paid to any one depositor or upon any one day, unless notice of the sum intended to be demanded shall have been given at least ten judicial days before the time when such payment is required to be made; that deposits by married women and minors may be repaid to them, and such re-payments made upon their order, checks or receipts, shall discharge said corporation from any further claim for the same; and deposits so made by married women or minors shall not at any time be subject to the claim or demand of or payable to the husband of said married woman, or to the parents or guardians of such minor.

Purpose.

Business.

Payment of deposits.

Deposits by married women and minors.

Capital stock.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may become associated with them as stockholders in the company incorporated, to raise and form a capital of twenty-five thousand dollars, to be divided into shares of fifty dollars each, and paid in as required by the board of directors, but fifty per centum shall be paid in before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof, as they shall, from time to time elect, to any amount not exceeding fifty thousand dollars: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of new stock, in such manner as they may deem best.

Investment of funds.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stock of this commonwealth, or of the United States, or other stocks and bonds, or real or personal securities, or in such other manner as may be deemed appropriate and safe.

Form of certificate to depositors, mode of electing directors, &c.

SECTION 5. That the directors shall have power by their by-laws, to prescribe the form of certificate to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, and the method of filling vacancies in the board of directors, the qualification of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe; but the whole number of directors shall at no time exceed seven.

Meeting of corporations.

SECTION 6. That there shall be a meeting of a majority of the persons named in the first section within twelve months from the passage of this act, as a majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers five directors to manage the affairs of said corporation; said directors shall choose from their own number a president, and may appoint and remove at will such other officers as they may deem necessary; said directors and president to remain in office until a new election shall take place as provided in the by-laws, and to have and to exercise all of the rights, powers and privileges which are intended to be hereby given, and prescribe the duties and fix the compensation of the president and other officers of said bank, and to prescribe the rate of interest to be received by said bank in its loans, not to exceed six per cent.

Purpose of meeting

Officers.

Powers, &c., of president and directors.

Real estate.

SECTION 7. That the real estate which it shall be lawful for said corporation to have shall be only such as is requisite for the accommodation and convenient transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise, to secure debts due it; and that in all cases of loans upon real estate, the expense of searches, examination of certificates and recording papers shall be paid by the borrower.

Expenses of searches, &c., to be paid by borrower.

Interest on deposits.

SECTION 8. That the directors at their first regular meeting in January of each year, shall regulate and fix the rate of interest to be paid on deposits for the ensuing year; that in-

terest shall not be allowed to any depositor, until his or her deposit shall amount to five dollars; that the interest shall be calculated by calendar months only, and no interest to be allowed for a fraction of a month.

SECTION 9. That it shall be the duty of the directors of said corporation, on the first Monday in January and July in each year, to make and declare out of the net proceeds and profits of the said business of the said corporation a dividend of so much thereof as they may deem proper, and the same to pay over to the stockholders, or their legal representatives, within ten days thereafter. Dividends.

SECTION 10. That the shares of said corporation shall be transferable on its books in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote, in person or by proxy, for each and every share of stock by said stockholder then owned; that if any person or persons shall subscribe to the original or increased stock of said corporation, and shall omit to pay the same for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of the said corporation may sell and dispose of the said stock as they may deem most advantageous to said corporation; that the books of said corporation shall at all times during business hours, be open for the inspection of such agents as the legislature shall appoint for that purpose. Shares transferable.
Votes.
Failure to pay instalments of stock.
Books to be open for inspection.

SECTION 11. That the officers and agents of said corporation, upon entering upon the discharge of their duties, shall give bonds in such an amount as the directors shall fix for their fidelity and good conduct, and for the safe keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others, and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of the said corporation as relate to the receipts and payments of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted. Officers and agents to give security.
Portions of by-laws to be put up in office.

SECTION 12. That this charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided*, That no injustice shall be done the corporation: *And provided further*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law; and that the stockholders shall be individually liable to the depositors and other creditors of said bank, to double the amount of the stock held or subscribed for by him or her, respectively. Limitation.
Reservation.
Bonus and taxes.
Individual liability.

APPROVED—The 8th day of November, A. D. 1872.

JNO. W. GEARY.

No. 1160.

A Supplement

To an act, entitled "An Act to incorporate the Cook's Run Navigation and Public Road Company," approved the seventh day of April, one thousand eight hundred and sixty-eight.

Location of principal office.

SECTION 1. *Be it enacted, &c.*, That the principal office of the said corporation shall be located and maintained in the city of Lock Haven, instead of at the office of White, Lentz and White, in the city of Williamsport, as provided in the second section of the act to which this is a supplement.

Timber over certain length, not to be put into stream without company's consent.

SECTION 2. No person or persons shall be authorized or permitted to put into said Cook's run, for the purpose of floating the same over the improvements of said corporation, any saw-logs or other timber over sixteen feet in length, without the written consent of said corporation; and all logs intended to be floated down said stream shall be peeled before the same shall be put into said stream.

Logs to be peeled.

Regulations as to floating timber.

SECTION 3. That all saw-logs and other timber intended to be floated down said stream, from any point within six miles of the mouth of the stream, shall be banked or piled outside the water of said stream, and not put into said stream in such quantities as to impede or obstruct the navigation thereof.

Penalty for violating act.

SECTION 4. That any person or persons violating the second and third sections of this act shall forfeit and pay to the corporation four (4) times the amount of tolls authorized by the act, to which this is a supplement, for all logs or other timber so put into said stream, which said penalty shall remain a lien upon the logs or timber, and may be enforced by a replevin or sale of said logs or timber, after ten days' public notice of the time and place of such sale by six written or printed handbills put up in public places in Chapman township, or may be collected by an action of debt or *assumpsit*, at the option of said corporation.

How enforced.

APPROVED—The 3d day of December, A. D. 1872.

JNO. W. GEARY.

No. 1161.

A Further Supplement

To an act to regulate the taking of fish from the ponds and lakes of Benton township, Luzerne county, approved March second, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted, &c.*, That the judgment or judgments rendered by any justice of the peace or alderman, for

penalties rendered under the supplement approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, shall have all the incidents and the same remedies for the collection thereof, as judgments rendered in cases of trespass or trover, any law or usage to the contrary in anywise notwithstanding.

APPROVED—The 4th day of January, A. D. 1873.

JNO. W. GEARY.

RESOLUTIONS.

No. 1.

Joint Resolution

To pay expenses in the case of George O. Evans.

Resolved, &c., That the amount of the statement of expenses incurred by the Hon. R. W. Mackey, state treasurer, in the case of George O. Evans, be paid after vouchers as to their correctness have been properly certified to by the auditor general.

APPROVED—The 30th day of December, A. D. 1872.

JNO. W. GEARY.

No. 2.

Joint Resolution

For an allowance to the parties in the contested election case from the Fourth senatorial district, for extraordinary expenses.

Resolved, &c., That the sum of twenty-five hundred dollars be appropriated to the contestant, and a like sum to the respondent, in the senatorial contested election case from the Fourth senatorial district, for extraordinary expenses and outlays incurred by them in said contest, the same to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED—The 30th day of December, A. D. 1872.

JNO. W. GEARY.

CERTIFICATE.

SECRETARY'S OFFICE, }
HARRISBURG, *July 3, 1873.* }

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls on file in this office, the proof-sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the tenth day of April, 1873, (one act, viz : "An Act to provide for the appointment of a board of fishery commissioners, for the construction of fish-ways, and for the protection and propagation of fish, and appropriating money for the same," being re-published to correct an error in the printing of the second section thereof,) including an APPENDIX, containing laws passed at the sessions of 1859, 1860, 1861, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871 and 1872, upon which the enrollment taxes have been paid, and four other laws and resolutions which were approved and signed by the Governor, subsequent to the publication of the Pamphlet Laws of 1872.

M. S. QUAY,
Secretary of the Commonwealth.

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